

FODC draft Plan Strategy Proposed Changes - Dalradian

[REDACTED]
Thu 03/12/2020 17:17

To: Development Plan <developmentplan@fermanaghomagh.com>; Emma Walker <emma.walker@turley.co.uk>

📎 4 attachments (19 MB)

FODC Comments on Proposed Changes Dalradian.pdf; Appendix 3.pdf; Appendix 2 CRDPS006-Dalradian.pdf; Appendix 1 DPS271 Dalradian.pdf;

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Dear Sir/Madam

On behalf of our client Dalradian Gold Ltd, please find attached representations (including appendices) in response to the Council's consultation on proposed changes to the draft Plan Strategy.

In future all correspondence should be issued to emma.walker@turley.co.uk and we would be grateful if you could acknowledge receipt by return to that email.

Kind regards
Emma

Fermanagh & Omagh District Council – Draft Plan Strategy

Comments on the Proposed Changes on Behalf of Dalradian Gold Ltd

December 2020

1. Introduction

1. These comments are submitted on behalf of Dalradian Gold Ltd in response to the Council’s consultation on the Proposed Changes of the draft Plan Strategy (dPS).

2. Comments on Proposed Changes

2. This section outlines our comments on the following Proposed Changes to the draft Plan Strategy published by the Council on 7 October 2020. These should be read alongside our original representations to the draft Plan Strategy (DPS271) and subsequent counter-representation (CRDPS006) (See Appendix 1 & 2).

Draft Policy/ Paragraph	Comments made to dPS	Proposed Change Ref	Proposed Change	Comment to Proposed Change
SP01 Furthering Sustainable Development	No comment made.	5	Amend policy wording to comply with the demonstrable harm test in the SPPS. ‘The Council will permit development proposals which further sustainable development and promote measures to mitigate and adapt to climate change, and which <i>have regard to</i> the Local Development Plan and other material considerations, <i>unless the proposed development will cause demonstrable harm to interests of acknowledged importance. In such cases, planning permission should be refused.</i>	It is unclear from the proposed wording what an interest of acknowledged importance is as it is not defined within the proposed policy or supporting text. Unless the interest is defined applicants will be unable to demonstrate that no demonstrable harm will be caused. This lack of clarity is in conflict with soundness test CE1. We would recommend that further explanation is included within the justification and amplification text. It is our view that all relevant interests will be ‘material planning considerations’ and therefore would be adequately covered by the original proposed wording which was sound in its own right. No evidence has been provided by the Council to suggest that this additional wording is needed to make the policy sound. The proposed additional wording is not necessary to make the policy sound and therefore fails against soundness test CE1 & CE2. The additional wording should be removed.
DE01 Amenity	No comment made.	14	Amendment to re-word the opening sentence in relation to amenity, public safety and the public interest: ‘The Council will not support development proposals where they would unacceptably affect: (1) the amenities of the area or the residential amenity of nearby <i>properties or sensitive receptors; and (2) the existing use of land and buildings, public safety (including road safety) and visual amenity ought to be protected in the public interest. These include:</i> (i) overlooking and/or loss of privacy; (ii) dominance or overshadowing;	We note that it is proposed that the policy is to be amended to refer to sensitive receptors, however neither the policy nor supporting text for draft Policy DE01 gives a definition for a sensitive receptor. In order for the potential effects of development to be assessed such receptors should be identified. Further clarification could be included within the justification and amplification text. Without further definition the draft policy fails against soundness test CE1. The Council is proposing to introduce a test of impact of

		(iii) odour, noise vibration or other forms of disturbance; (iv) forms of pollution; and (v) general disturbance.'	development on the existing use of land and buildings. The proposed wording is unclear and is incoherent when read with the rest of the draft policy. . As such the policy fails against soundness test CE1. We would suggest that the draft policy is redrafted so that it can be read coherently. The wording also fails to give adequate consideration to development such as mineral extraction which can only occur where minerals are found. Draft Policy MIN03 seeks to prevent surface development which will prejudice the future exploitation of minerals. In order to ensure the plan is coherent across policies some cross reference to this policy should be included.
TOU1 Tourism Assets	Our full response is set out at paragraphs 4.61 to 4.77 of representation DPS271. In summary we object to this draft policy in its entirety. The Council is seeking to introduce a policy which seeks to protect tourism assets from inappropriate development. The draft policy is, however, in conflict with and inconsistent with the approach set out in prevailing regional policy. The draft policy is unjustified. The draft policy fails to meet soundness tests C3, CE2 and CE3.'	51 The overall quality or value of a number of smaller parts of a tourism asset is more valuable than the sum parts. Policy re-worded to reaffirm the policy intent of protecting tourism assets and strengthening the test of justifying the loss of a tourism amenity. 'A Tourism Assets The Council will not permit any form of development that would, in itself or in combination with existing or approved development, have an adverse impact on the intrinsic character or quality of a tourism asset or any part thereof, or diminish its tourism value, <u>or part thereof.</u> B Tourism Development The Council will only permit the loss of any tourism amenity, or any development intrinsically linked to tourism <u>where it has been demonstrated that there is a sufficient supply of amenities within the area to satisfy demand and/or the facility has been marketed and proven to be no longer viable.</u>	The Council is seeking to strengthen the draft Policy to include impact on the tourism value of any part of a tourism asset. It is our view that this approach is unsound as it is only possible to assess the impact of development on the value of a particular tourism asset which has been defined. The SPPS defines a tourism asset as "any feature associated with the built or natural environment which is of intrinsic interest to tourists." The SPPS goes on to say: <i>"There are many diverse features of the built and natural heritage of Northern Ireland that can be regarded as tourism assets, in that they are important in attracting tourists and sustaining the tourism industry. Examples include historical and archaeological sites, certain beached, conservation areas and Areas of Outstanding Natural Beauty. The safeguarding of tourism assets from unnecessary, inappropriate or excessive development is a vital element in the maintaining a healthy tourism industry. To allow such development could damage the intrinsic character and quality of the asset and diminish its effectiveness in attracting tourists. Accordingly, planning permission should not be granted for development that would, in itself, or in combination with existing and approved development in the locality, have an adverse impact on a tourism asset, such as to significantly compromise its tourism value."</i> (Paragraph 6.262) The SPPS is clear that the tourism asset should be considered as a whole. It does not refer to part of a tourism asset being assessed when considering the impact on tourism value. As such the proposed change to the policy is in conflict with soundness test C3 and should be revised to reflect the SPPS. We also note that the policy as previously drafted references the assessment of impacts on the intrinsic character or quality of any part of a tourism asset. As such the inclusion of the additional wording would make it incoherent and would therefore fail against soundness test CE1 . We would suggest that the additional wording is removed. Furthermore, no justification is provided for the tightening of the policy wording and therefore it also fails against soundness test CE2.

**MIN01
Minerals
Development**

Our full response is set out at paragraphs 4.1 to 4.38 of representation DPS271. In summary we object to this draft policy in its entirety. 57

The Council is proposing that the full extent of the Sperrins AONB, which falls within the Council area, is designated as an Area of Constraint on Minerals Development (ACMD).

The draft policy conflicts with and is inconsistent with the approach set out in prevailing regional policy. The draft policy would result in the unjustified sterilisation of large areas of mineral resource.

Dalradian also opposes the introduction of a 15 year restriction on the extraction of minerals within an ACMD as this has no basis in regional policy. It does not reflect the operational practices of the minerals sector and is not justified.

The draft policy is unsound as it fails tests CE2, C3 and CE4.

Additional policy wording for valuable minerals. Amended wording to include clear presumption against mineral development in an ACMD; additional sentence relating to commercial peat extraction; additional criteria on cumulative effects:

‘The Council will support proposals for minerals development where it is demonstrated that they do not have an unacceptable adverse impact upon: -

- (i) the natural environment;
- (ii) the landscape and visual amenity;
- (iii) the historic environment;
- (iv) the water environment;
- (v) public safety, human health and amenity of people living or working nearby;
- (vi) road safety and convenience of road users; and

(vii) in all cases, the cumulative effects of such proposals on (i) to (vi) have been assessed for all minerals development regardless whether those developments are classed as permitted or temporary development.

‘In considering a proposal for the extraction of valuable minerals including metalliferous minerals, where the site is within a designated area in the Local Development Plan, due weight will be given to the reason for the statutory zoning. There will be a presumption against their exploitation within designated Special Countryside Areas’.

‘Within Areas of Constraint on mineral Development, *there is a presumption against mineral development unless* one or more of the following criteria *can* be met in addition to (i) to (vii):

- (vii) the proposal involves an extension to an existing minerals development; or
- (ix) the minerals development will provide building materials that are substantially for the restoration and repair of built conservation interest in the local area; or
- (x) the mineral is *valuable*; or
- (xi) the mineral is of limited occurrence and there is no reasonable alternative source outside the ACMD; AND
- (xii) the development is for less than 15 years duration.

Part vii) of the draft Policy introduces a cumulative assessments test, however it is unclear from the drafting of the text whether ‘permitted’ development relates to consented schemes or development carried out under permitted development rights. We understand that this is intended to relate to development which is consented (see Appendix 3). This should be clarified within the text to avoid misinterpretation of the policy.

In its current form the draft policy **fails against soundness test CE3** as it is unclear how part vii) will be implemented.

The introduction of a presumption against the exploitation of valuable minerals within a Special Countryside Area is in conflict with the prevailing policy contained within the SPPS. Paragraph 6.157 clearly states:

*“From time to time minerals may be discovered which are particularly valuable to the economy. Their exploitation may create environmental effects are particular to the methods of extraction or treatment of that mineral. **There will not be a presumption against their exploitation in any area, however in considering a proposal where the site is within a statutory policy area, due weight will be given to the reason for the statutory zoning.**”*

As such the proposed policy fails against soundness test C3.

This revised wording is in conflict with the SPPS policy position in relation to valuable mineral extraction. SPPS paragraph 6.157 states:

“From time to time minerals may be discovered which are particularly valuable to the economy. Their exploitation may create environmental effects are particular to the methods of extraction or treatment of that mineral. There will not be a presumption against their exploitation in any area, however in considering a proposal where the site is within a statutory policy area, due weight will be given to the reason for the statutory zoning.”

In relation to valuable mineral extraction, the SPPS does not require the meeting of any of the other criteria listed in the draft

				Policy (namely vii, ix, xi or xii). The SPPS solely requires that due weight is given to the statutory zoning and not that it must also be limited to a period of less than 15 years. In this regard the revised policy remains unsound as it is in conflict with the provisions of the SPPS and fails against soundness test C3.
Draft Plan Strategy Page 125	No comment made	59	Insertion of a new paragraph in to the supporting text for draft Policy MIN01. <u>Valuable minerals refer to high value metalliferous minerals such as gold, silver, lead, copper and diamonds. Exploitation may create environmental effects which are particular to the methods of extraction or treatment of that mineral. In considering a proposal where the site is within a designated site, due weight will be given to the reason for the designation. There will not be a presumption against their exploitation in any area apart from within designated Special Countryside Areas. Exploration for such high value metalliferous minerals can usually be carried out under the current permitted development legislation. However, where planning permission is required, full consideration will be given to the potential environmental impacts and any risks posed to safety or human health.</u>	See above response to Proposed Change 57.
L01 Development within the Sperrin AONB	Our full response is set out at paragraphs 5.7 to 5.19 of representation DPS271. In summary we object to this draft policy in its entirety. Draft Policy L01 is unsound. The draft Policy is based on flawed evidence. The draft policy is contrary to and inconsistent with the provisions of the prevailing regional policy. It fails soundness tests CE2 and CE3.	96	Amendments to policy are purportedly to more closely reflect the requirements of the SPPS and to provide detail of what is considered to be the distinctiveness of the AONB and specifying the requirement for a LVIA. <i>'Development proposals which adversely affect or work to erode the distinctive special character including landscape character, visual amenity, natural, historic or cultural heritage of the Sperrin AONB, its views or setting, when considered individually or cumulatively alongside existing or approved development, will not be permitted.</i> <u>Account must be taken of the Landscape Character Assessments and any other relevant guidance including an AONB Management Plan and local design guides.</u> <u>Development proposals must be accompanied by a Landscape Visual Impact Assessment.</u>	It would appear that the redrafting of draft Policy L01 seeks to tighten the policy already contained within the SPPS. Paragraph 6.187 of the SPPS states that: "Development proposals in AONBs must be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife, and be in accordance with relevant plan policies." The SPPS does not reference 'adverse affects' or impact on visual amenity and no evidence has been provided to support the tightening of the existing policy position set out in the SPPS. As such the policy fails against soundness test C3 and should be redrafted to align with the SPPS. It is unclear from the revised draft policy wording or supporting text what is meant by 'its views' in reference to the adverse effects of development. Does this refer to viewpoints within the AONB, views within the AONB or views of the AONB. This is lack of clarity means that it is unclear how the policy will be implemented. As such the draft policy fails against soundness test CE1 and CE3. In assessing development within AONBs it is proposed that account should be taken of guidance which includes an AONB Management Plan. We would highlight that there is currently no Management Plan in place for the Sperrins AONB and furthermore any guidance should be kept up to date. The revised policy introduces a requirement for development proposals within AONBs to be accompanied by a Landscape

				Visual Impact Assessment. We would propose that this requirement should only relate to development proposals which have the potential to have an impact on the landscape.
L02 Special Countryside Area	No comment made	101	<p>Amendments to policy to more closely reflect the requirements of the SPPS and to provide details of what is considered to be the distinctiveness of the AONB and specifying the requirement for a LVIA.</p> <p><i>Within Special Countryside Areas, planning permission will not be granted for development proposals unless they <u>do not threaten the landscape character and unique amenity value of the area and, exceptionally are:</u></i></p> <ul style="list-style-type: none"> • <i>Of such national or regional importance, as to outweigh any potential detrimental impact on the unique qualities of the upland, outstanding vistas, or island environment; or</i> • <i>For the consolidation of existing development, providing it is in character and scale, does not threaten the visual amenity, nature conservation interest or Historic Environment interests and can be appropriately integrated with the landscape character; or</i> • <i>Minor works or improvements to infrastructure such as walking and cycle-ways, fishing and canoe stands; or</i> • <i>Providing tourism accommodation or facilities through the re-use of existing vernacular buildings whilst being sympathetic to the landscape and nature conservation interests.</i> <p><u>Development proposals must be accompanied by a Landscape Visual Impact Assessment.</u></p>	<p>The revised draft policy wording is incoherent. The first part of the policy states that some development may be permitted where it does not threaten the landscape character of the SCA. The first bullet then reads that development can occur where detrimental impact on unique qualities is outweighed by regional or national importance. It is not possible to meet both these requirements of the draft policy as a whole.</p> <p>As such the draft policy fails against soundness test CE1 and CE2.</p> <p>The revised policy introduces a requirement for development proposals within SCAs to be accompanied by a Landscape Visual Impact Assessment. We would propose that this requirement should only relate to development proposals which have the potential to have an impact on the landscape.</p>

Appendix 1: Draft Plan Strategy Representation Reference DPS271

Appendix 2: Counter Representation Reference CRDPS006

Appendix 3: Correspondence from Fermanagh & Omagh District Council (7 October 2020)

Contact



1 December 2020

DALB3001



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

Fermanagh & Omagh Draft Plan Strategy Representations Form

Hard Copies of the Draft Plan Strategy are available for inspection during normal opening hours at the council's principal offices. The documents, electronic copies of this form, and our 'Guidance for Making Responses to the Plan Strategy' may be viewed at: <https://www.fermanaghomagh.com/>

How to respond

You can make representations about the Draft Plan Strategy by completing this survey form, or if you prefer, you can fill out this form online.

For further assistance contact: developmentplan@fermanaghomagh.com or Tel: 0300 303 1777; All representations must be received by 21st December 2018 at 12:00 noon.

SECTION 1. Contact Details

Individual Organisation Agent (complete with your client's details first)

First Name

Brian

Last Name

Kelly

Job Title (Where relevant)

Managing Director

Organisation (Where relevant)

Dalradian Gold Ltd

Address

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Killybrack Business Park

Omagh

Postcode

BT79 7DG

Telephone Number

Email Address

If you are an Agent, acting on behalf of an Individual or Organisation, please provide your contact details below. (Please note you will be the main contact for future correspondence).

First Name

Last Name

Job Title (Where relevant)

Organisation (Where relevant)

Address

<input type="text"/>
<input type="text"/>
<input type="text"/>

Postcode

Telephone Number

Email Address

SECTION 2. Representation

What is your view on the Draft Plan Strategy?

Sound

If you consider the Draft Plan Strategy to be **sound**, and wish to support the Plan Strategy, please set out your comments below.

N/A

(Continue on a separate sheet if necessary)

OR

Unsound

If you consider the Plan Strategy to be **unsound**, please identify which test(s) of soundness your representation relates to, having regard to Development Plan Practice Note 6.

Soundness Test No:

- P1 Has the Draft Plan Strategy been prepared in accordance with the council's timetable and the Statement of Community Involvement?**

- P2 Has the council prepared its Preferred Options Paper and taken into account any representations made?**
- P3 Has the Draft Plan Strategy been subject to sustainability appraisal including Strategic Environmental Assessment?**
- P4 Did the council comply with the regulations on the form and content of its Draft Plan Strategy and procedure for preparing the Draft Plan Strategy?**
- C1 Did the council take account of the Regional Development Strategy?**
- C2 Did the council take account of its Community Plan?**
- C3 Did the council take account of policy and guidance issued by the Department?**
- C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?**
- CE1 Does the Plan Strategy sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the Draft Plan Strategies of neighbouring councils?**
- CE2 Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?**
- CE3 Are there clear mechanisms for implementation and monitoring?**
- CE4 Is it reasonably flexible to enable it to deal with changing circumstances?**

Plan Component - To which part of the Draft Plan Strategy does your representation relate?

- | | |
|-------------------------------|--|
| (i) Relevant Paragraph | See attached representation prepared by [REDACTED] |
| (ii) Relevant Policy | MIN01, MIN02, MIN03, TOU01, HE02, L01, PUO2, TR06, HOU9, HOU11, HOU13, HOU15 |
| (iii) Proposals Map | See attached representation by prepared [REDACTED] |
| (iv) Other | See attached representation prepared by [REDACTED] |

Details

Please give details of why you consider the Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.

Please refer to attached representation report prepared by [REDACTED]

(Continue on a separate sheet if necessary)

Modifications

What, if any, modifications do you think should be made to the section, policy or proposal? What specific modifications do you think should be made in order to address your representation?

This representation considers that the Fermanagh & Omagh draft Plan Strategy fails to comply with soundness tests;

- P2
- P3
- C3
- CE1
- CE2
- CE3
- CE4

Draft Policies considered; - MIN01, MIN02, MIN03, TOU01, HE02, L01, PUO2, TR06, HOU9, HOU11, HOU13, HOU15

Proposed modifications are included within the attached representation report prepared by [REDACTED]

(Continue on a separate sheet if necessary)

If you are seeking a change to the Draft Plan Strategy, please indicate how you would like your representation to be dealt with at Independent Examination:

- Written Representations** **Oral Hearing**

SECTION 3. Data Protection and Consent

Data Protection

In accordance with the Data Protection Act 2018, Fermanagh and Omagh District Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure. It should be noted that in accordance with Regulation 17 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the council must make a copy of any representation available for inspection. The Council is also required to submit the representations to the Department for Infrastructure and they will then be considered as part of the Independent Examination process. For further guidance on how we hold your information please visit the Privacy section at www.fermanaghomagh.com/your-council/privacy-statement/

By proceeding and submitting this representation you confirm that you have read and understand the privacy notice above and give your consent for Fermanagh and Omagh Council to hold your personal data for the purposes outlined.

Consent to Public Response

Under planning legislation we are required to publish responses received in response to the Plan Strategy. On this page we ask for your consent to do so, and you may opt to have your response published anonymously should you wish.

Please note: Even if you opt for your details to be published anonymously, we will still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner/Authority they appoint to oversee the examination in public into the soundness of the plan. This will be done in accordance with the privacy statement above.

- Yes with my name and/or organisation**
- Yes, but without my identifying information**

Signature



Date

21 December 2018

Representations to Fermanagh & Omagh District Council Draft Plan Strategy

On behalf of Dalradian Gold Ltd

December 2018



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Client

Dalradian Gold Ltd

Our reference

DALB3001-09

December 2018

Executive Summary

1. This representation is submitted on behalf of Dalradian Gold Ltd in response to the Fermanagh & Omagh District Council draft Plan Strategy (dPS).
2. The dPS is unsound as the legal compliance tests have not been met.
3. Furthermore, the Sustainability Assessment (SA) provided in support of the dPS is fundamentally flawed.
4. Taken together, these flaws render the dPS in its entirety unsound as soundness test P3 cannot be met.
5. In the absence of further work in respect of the identified flaws, the development plan document (DPD) must not be allowed to progress.
6. The following table summarises the draft policies which are unsound, for the reasons specified.

Schedule of Key Draft Policy Comments

Policy	Comment	Cross ref.
<i>Draft Policy MIN01</i>	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council is proposing that the full extent of the Sperrins AONB, which falls within the Council area, is designated as an Area of Constraint on Minerals Development (ACMD).</i></p> <p><i>The draft policy conflicts with and is inconsistent with the approach set out in prevailing regional policy. The draft policy would result in the unjustified sterilisation of large areas of mineral resource.</i></p> <p><i>Dalradian opposes the introduction of a 15 year restriction on the extraction of minerals within an ACMD as this has no basis in regional policy. It does not reflect the operational practices of the minerals sector and is not justified.</i></p> <p><i>The draft policy is unsound as it fails tests CE2, C3 and CE4.</i></p>	<p><i>Section 4 (Paragraph 4.1 to 4.38)</i></p>
<i>Draft Policy MIN02</i>	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council is proposing to introduce a policy on the restoration and aftercare of mineral sites. This draft policy is more onerous than the existing policy position set out in prevailing regional policy as it proposes that materials for the infill and restoration of sites should be sourced from within the site.</i></p> <p><i>This draft policy not in conformity with the SPPS and therefore fails soundness test C3.</i></p>	<p><i>Section 4 (Paragraph 4.39 to 4.46)</i></p>
<i>Draft Policy MIN03</i>	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council's approach is flawed. As, properly understood,</i></p>	<p><i>Section 4 (Paragraph</i></p>

	<p><i>the failure to detail Mineral Safeguarding Areas (MSAs) is inconsistent with the decision to identify ACMDs. Without properly understanding the extent of reserves, it is not possible to robustly define areas of ACMDs, as existing operations and known mineral resources will and do exist within these areas and should be safeguarded.</i></p> <p><i>The draft policy fails soundness tests CE1 and CE2</i></p>	4.47 to 4.60)
Draft Policy TOU01	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council is seeking to introduce a policy which seeks to protect tourism assets from inappropriate development. The draft policy is, however, in conflict with and inconsistent with the approach set out in prevailing regional policy. The draft policy is unjustified.</i></p> <p><i>The draft policy fails to meet soundness tests C3, CE2 and CE3.</i></p>	Section 4 (Paragraph 4.61 to 4.77)
Draft Policy HE02	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council is proposing an extension to the Beaghmore ASAI on the basis of a proposal from DfC HED to extend the ASAI. The proposed extension is not justified. The draft policy fails soundness test CE3.</i></p>	Section 5 (Paragraph 5.1 to 5.6)
Draft Policy L01	<p><i>We object to this draft policy in its entirety. Draft Policy L01 is unsound. The draft Policy is based on flawed evidence. The draft policy is contrary to and inconsistent with the provisions of the prevailing regional policy. It fails soundness tests CE2 and CE3.</i></p>	Section 5 (Paragraph 5.7 to 5.19)
Draft Policy PU02	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>This draft policy does not provide sufficient flexibility to assess proposals for overhead powerlines associated with minerals developments which are often time limited and subject to restoration requirements.</i></p> <p><i>The draft policy fails soundness test CE3 and CE4.</i></p>	Section 6 (Paragraph 6.1 to 6.7)
Draft Policy TR06	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council is proposing a policy that would prohibit development where it would prejudice the reuse of disused routes as a transport route or a recreational, nature conservation or tourism-related use.</i></p> <p><i>The draft policy is unsupported by evidence. The draft policy fails against soundness test CE2.</i></p>	Section 6 (Paragraph 6.8 to 6.16)
Draft Policy HOU9	<p><i>We object to this draft policy in its entirety.</i></p> <p><i>The Council asserts that development of replacement dwellings is an opportunity to upgrade housing stock whilst minimising landscape and visual impact, however no evidence or assessment has been provided to support this statement.</i></p>	Section 7 (Paragraph 7.1 to 7.7)

	<p><i>Furthermore, applicants seeking permission for this type of development will not be required to submit a visual assessment of their development.</i></p> <p><i>The draft policy therefore fails against soundness tests CE2 and CE3.</i></p>	
<i>Draft Policy HOU11</i>	<p><i>We object to this policy in its entirety.</i></p> <p><i>There is insufficient evidence to support this draft policy. The draft policy is inconsistent with current regional policy.</i></p> <p><i>Relaxation of existing policy would increase development in the countryside but there has been no assessment of the capacity of the landscape to accommodate such change.</i></p> <p><i>The policy fails against soundness tests C3 and CE2.</i></p>	<p><i>Section 7 (Paragraph 7.8 to 7.13)</i></p>
<i>Draft Policy HOU13</i>	<p><i>We object to this policy in its entirety.</i></p> <p><i>This draft policy is inconsistent with prevailing regional policy. Regional policy does not include such a policy requirement or identify that LDPs should include policies for such purposes.</i></p> <p><i>The policy fails against soundness test C3.</i></p>	<p><i>Section 7 (Paragraph 7.14 to 7.16)</i></p>
<i>Draft Policy HOU15</i>	<p><i>We object to this policy in its entirety.</i></p> <p><i>This draft policy is inconsistent with the prevailing regional policy. Regional policy does not include such a policy requirement, nor does it identify that LDPs should include policies for such purposes.</i></p> <p><i>The policy fails against soundness test C3.</i></p>	<p><i>Section 7 (Paragraph 7.17 to 7.22)</i></p>

1. Introduction

- 1.1 This representation is submitted on behalf of Dalradian Gold Ltd in response to the Fermanagh & Omagh District Council Draft Plan Strategy (dPS).
- 1.2 It has been structured to reflect the template provided by the Council. It draws upon representations submitted in response to the Council's Preferred Options Paper (POP). As these previous representations are relied upon in support of objections now made at this stage of the process a copy is provided at Appendix 1.
- 1.3 In line with the Council's procedures, each representation is set out on a separate page within each of the Chapter headings with the policy clearly identified.
- 1.4 The structure of the submission is as follows:
- **Chapter 2:** Provides an assessment of how the draft Plan Strategy addresses the legislative compliance tests;
 - **Section 3:** Details our representations to the Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA);
 - **Section 4:** Details our representations to Economy;
 - **Section 5:** Details our representations to Environment;
 - **Section 6:** Details our representations to People and Places; and
 - **Section 7:** Details our representations to Infrastructure;

2. Legislative Compliance

2.1 In preparing their Draft Plan Strategy (dPS), Fermanagh and Omagh District Council ('the Council') is required to adhere to the provisions of the Planning Act (Northern Ireland) 2011 ('Act') and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('Regulations').

2.2 This section identifies issues in the compliance of the dPS with the Act and the Regulations.

Planning Act (Northern Ireland) 2011

2.3 The Act stipulates that the Plan Strategy should be prepared in accordance with the Council's Timetable, as approved by the Department and in accordance with Council's Statement of Community Involvement.

2.4 The Council Timetable, as approved and published on the Council's website, is dated June 2018. We note that Council has published its dPS within the broad timeframe that they provided (i.e. 3rd Quarter of 2018/19). However, we would highlight that the timeframe proposed was supposed to include:

- An 8 week statutory public consultation period; and
- An 8 week statutory consultation on counter representations;

2.5 Given that the first period of statutory consultation will end on 21 December 2018, the remaining consultation will not take place in accordance with the published Timetable. The Council's timetable should be revised to reflect the current position.

2.6 In preparing a plan strategy, the council must take account of:

- "the regional development strategy;
- the council's current community plan
- any policy or advice contained in guidance issued by the Department;
- such other matters as the Department may prescribe or, in a particular case, direct, and may have regard to such other information and considerations as appear to the council to be relevant."

2.7 This representation identifies specific instances where, in particular, policy issued by the Department has not been taken into account.

2.8 The Act also requires that the Council:

- “(a) carry out an appraisal of the sustainability of the plan strategy; and
- (b) prepare a report of the findings of the appraisal.”

- 2.9 We have identified significant flaws with the Council's Sustainability Assessment and identify them in this representation in Chapter 3 and Appendix 2.

The Planning (Local Development Plan) Regulations (Northern Ireland) 2015

- 2.10 Regulations 15 and 16 relate to the preparation of the dPS. Regulation 15 identifies a schedule of the information that should be made available alongside the publication of the dPS. This includes:

“such supporting documents as in the opinion of the council are relevant to the preparation of the local development plan.”

- 2.11 Insufficient supporting evidence is available to support a number of the proposed policies in the dPS and therefore this requirement is not met. We identify the specific concerns within this representation.

3. Sustainability Appraisal/Strategic Environmental Assessment

3.1 A review of the Sustainability Appraisal (SA) documents that have been produced in support of the dPS has been undertaken on behalf of Dalradian.

3.2 The documents that have been reviewed are:

- Fermanagh and Omagh District Council Local Development Plan 2030, Draft Plan Strategy, October 2018.
- Fermanagh and Omagh District Council Local Development Plan, Sustainability Appraisal (hereafter referred to as The Draft SA Report) of the LDP Draft Plan Strategy Incorporating the Strategic Environmental Assessment, October 2018.

Soundness and Legal Compliance of The Draft SA

3.3 Given the concerns raised in previous representations and the content of Policies MIN01- MIN03, Dalradian maintain their fundamental concerns with regards to the soundness and compliance of the SA process with the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (the EAPP Regulations) with regards to:

- the SA Process to date and the failure by the SA to identify the correct baseline of the plan area and facilitate the development of policies to secure the economic and social benefits available from minerals extraction.
- the appraisal and selection/rejection of reasonable alternatives to the draft minerals policies presented in the dPS.

Concerns with The SA Process to date

3.4 Given the response to Dalradian's previous representations and the nature of the policies for mineral extraction (MIN01 – MIN03), we have a number of fundamental concerns with the SA process to date which remain unresolved. These are in respect of:

- the failure of the SA to recognise the economic potential of the gold reserves at a sufficiently early stage to warrant an appropriate and reasonable policy response in accordance with the SPSS.
- the appraisal and selection/ rejection of reasonable alternatives to the draft minerals policies presented in the dPS.
- the 15 year time limit upon minerals extraction within Policy MIN01.
- the approach to Policy MIN03 – Minerals Safeguarding Areas.

3.5 Our significant concerns can be summarised as follows:

- A continued failure of the SA to accurately convey the baseline situation with respect to minerals resource within the F&O plan area and, as a result, a failure of the SA and dPS to develop reasonable, national policy compliant alternatives to facilitate the sustainable extraction of minerals
- A failure of the SA to meet the requirements of the EAPP regulations with respect to the identification and selection/rejection of reasonable alternatives for time limits upon minerals extraction and mineral safeguarding areas.

Recommendations to address the deficiencies in the SA process

- 3.6 Given the deficiencies listed above, Dalradian believe that the following course of action is necessary to ensure a sound and legally compliant SA and dPS:
- Update the baseline section of the SA to correctly reflect the scale of the nationally and globally significant mineral resources available within the F&O district. This will communicate the scale of the opportunity to all stakeholders.
 - Develop a fresh set of reasonable alternatives to facilitate the sustainable extraction of mineral resources which includes correctly identifying the mineral safeguarding areas and further reasonable alternatives for the identification of time limits for minerals extraction.
 - Undertake a fresh independent SA on the reasonable alternatives and consult on the revised material.
 - Publish a refreshed dPS with supporting SA work to clearly demonstrate the process for the appraisal and selection/rejection of reasonable alternatives.
- 3.7 More detailed commentary is provided in Appendix 2.

4. Economy

Draft Policy MIN01 – Minerals Development

- 4.1 We object to Draft Policy MIN01 in its entirety and Proposals Map 1. The draft policy and the map is in conflict with and inconsistent with the approach set out in regional policy. The extent of the Area of Constraint on Minerals Development is unjustified by evidence. The draft policy is unsound as it fails against tests CE2, C3, P3 and CE4.
- 4.2 Draft Policy MIN01 states that the Council will support proposals for minerals development where it is demonstrated that there are no unacceptable adverse impacts on the environment. The draft policy reference to ‘unacceptable’ adverse impacts does not provide sufficient clarity on the actual test that will be applied.
- 4.3 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, we currently suggest:
- “The Council will support proposals for mineral development where it is demonstrated that they do not have a significant adverse impact upon:....”*
- 4.4 The use of the word ‘significant’ is more consistent with the wording contained within the SPPS. It also reflects the language used in the EIA Regulations.
- 4.5 The Council is proposing that the full extent of the Sperrins AONB, which falls within the Council area, is designated as an Area of Constraint on Minerals Development (ACMD). Dalradian objects to this proposal as, if adopted, it would result in the sterilisation of large areas of known mineral resource within the District, contrary to the SPPS with no supporting evidence.
- 4.6 As presently drafted the policy sets out that within ACMDs, one or more of the following criteria must be met, in addition to the test applied to all other minerals proposals:
- The proposal involves an extension to an existing minerals development; or
 - The minerals development will provide building materials that are substantially for the restoration and repair of built conservation interest in the local area; or
 - The mineral is of high value; or
 - The mineral is of limited occurrence and there is no reasonable alternative source outside the ACMD; and
 - The development is for less than 15 years duration.
- 4.7 Proposals Map 1 which accompanies the dPS indicates that the full extent of the Sperrins AONB which is located within the Council area is proposed to be designated as an ACMD. This area includes land which Dalradian has an active interest in and in particular includes:

- Land which has planning permission for works associated with the exploration of minerals; and
- Land which is currently the subject of a regionally significant planning application for the extraction of minerals and associated infrastructure.

4.8 In representations to the POP (Appendix 1), Dalradian set out their concerns about the application of an ACMD across the Sperrins AONB. Dalradian continues to oppose the proposed designation on the basis that it will apply to a known area of valuable mineral resource. We would also point out that in responding to the POP, the Department for Economy – Minerals and Petroleum Branch/GSNI (DfE) opposed the proposed approach being put forward from the Council. This position is summarised in the Council’s Summary Table of Statutory Consultee Responses to Local Development Plan Preferred Options Paper, dated 8 March 2017. Within the report the response from DfE is summarised as:

“The DfE does not agree with the preferred option as it does not adequately take account of the economic value of minerals or address the points by DfE/GSNI in previous responses and in discussions with FODC.

Welcomes Option 1 and also welcomes the recommendation in Option 3 to identify areas for safeguarding minerals within the plan area. DfE questions the additional constraints proposed in Option 2 which does not seem to be compatible with the minerals strategy established in the SPPS (Para 6.155 and Para 6.157) or PSRNI (MIN4).”

4.9 As a statutory consultee on minerals this position from DfE should be given due consideration.

4.10 In responding to the POP, Dalradian highlighted a number of flaws with the Council’s Landscape Capacity Assessment (Position Paper 14). Dalradian’s assessment identified that:

- The evaluation of landscape sensitivity and capacity was not grounded in best practice guidance.
- The assessment was based on previously published material such as NILCA 2000 and the SPG for Wind Energy Development;
- There was a lack of rigour shown in the landscape evaluation;
- The paper did not provide a reliable assessment of the landscape sensitivity or capacity of the AONB, did not represent a reliable evidence base for policy formulation, or indeed decision making.
- The paper did not provide any evidence to suggest that the Curraghinalt project area does not have the capacity to absorb new development.

- 4.11 Dalradian also identified that the Council's assessment of development capacity within the South Sperrin LCA was flawed, in that the Northern Ireland Landscape Character Assessment 2000 (NILCA) does not consider the capacity for development.
- 4.12 Having reviewed the updated and additional information¹ provided in support of the dPS, the same flaws remain within the supporting assessments. Furthermore the focus of the landscape assessment has been in relation to the development of wind energy proposals but it is equally applied to minerals development.
- 4.13 The Council's Landscape Character Assessment, based on the Ironside Farrar review, considers the capacity for development within the landscape. Dalradian's site at Curraghinalt falls within NICLA 24, South Sperrins, and is identified within the Council's assessment as being highly sensitive to minerals development; however there is no evidence provided to support this statement. Furthermore the same assessment sets out that there are no past or current mineral workings of significance within the character areas, which is incorrect in that there have been historic exploration works occurring at Curraghinalt. The Council's assessment by Ironside Farrar is, therefore, flawed.
- 4.14 In relation to the proposals for mineral extraction at Curraghinalt, the planning application (LA10/2017/1249/F) is accompanied by a full landscape and visual impact assessment, which unlike the Council's assessment does include a detailed character assessment for the area. This assessment, provided at Appendix 4, concludes that:
- Susceptibility to mineral extraction development as proposed at Curraghinalt is judged to be medium. Whilst the entirety of the LLCA is located within the AONB the area which will be affected is located to the south of the more dramatic range of the South Sperrins, and will be located below the skyline of Crocknamoghil and Crocknaboy Hill, contained within the existing matrix of coniferous shelterbelts. The potential for intervisibility with the core area of the Sperrin AONB is limited and overall the landscape value of this LLCA is judged to be high. However, given the susceptibility and value attached to the LLCA, the overall sensitivity of the LLCA is judged to be medium.
 - The magnitude of landscape change during construction for the LLCA will be medium for the LLCA locally, and barely perceptible for the LLCA as a whole. Taking account of the medium sensitivity, the landscape effect for this LLCA is judged to be moderate (significant) locally (within 1km of the project site), and negligible (not significant) for the LLCA as a whole.
 - At the operational phase of the development direct effects will arise as the Dry Stack Facility (DSF) increases and will be visible across the Owenreagh River Valley area of the LLCA to the south. In the latter stages of operation visibility of the DSF will extend to areas of the LLCA to the north-east, although this will be limited to marginal visibility of the DSF above the ridge from elevated south facing slopes and hill summits located 4-12km from the site. Landscape effects

¹ Landscape Wind Capacity Study for Fermanagh and Omagh (January 2018), Landscape Character Review for Fermanagh and Omagh (September 2018); Landscape Designation Review (September 2018).

experienced during operation will be medium-term, and will be largely reversible apart from those associated with the DSF which will remain in the landscape as a permanent feature. The magnitude of change is judged to be medium during operation. Combined with the medium sensitivity of the LLCA, the landscape effect is judged to be moderate (significant) locally within 1km of the site, and negligible (not significant) for the LLCA as a whole.

- The restoration phase will see the removal of all project components except the DSF which will result in a large/size scale of effect experienced at a localised level. The final shaping and grading of the DSF land form will be designed to tie into existing contours and will be revegetated during closure and restoration phase. The magnitude of landscape change following closure and restoration will reduce to low locally and barely perceptible for the LLCA as a whole. When combined with the medium sensitivity of the LLCA, this will result in a minor (not significant) landscape effect locally and negligible (not significant) for the LLCA as a whole following removal of the majority of the project components and the reshaping and revegetating of the DSF which will reduce its perceptibility across a wider extent of the LLCA, and ensure that the sites retains the character of the transitional landscape between the open moorland of the ridge to the north and the improved pastoral farmland of the Owenreagh River Valley to the south.

4.15 The LVIA undertaken by Land Use Consultants clearly provides a more detailed assessment of the landscape character than that included within the Council's evidence base and demonstrates that the landscape can accommodate minerals development. This information was available to the Council and their Consultant team at the time of the Landscape Character Review but has not been considered.

4.16 There is no evidence that supports the extent of the ACMD as set out in the dPS. The proposed designation fails to satisfy soundness test CE2.

4.17 Paragraph 6.155 of the SPPS states that:

"Where a designated area such as an Area of Outstanding Natural Beauty (AONB) covers expansive tracts of land, the LDP should carefully consider the scope for some minerals development that avoids key sites and that would not unduly compromise the integrity of the area as a whole or threaten to undermine the rationale for the designation."

4.18 In representations to the POP, Dalradian directed the Council to the PAC Report on the Public Inquiry into objections to the draft Magherafelt Area Plan 2015. Here the Department of the Environment, which was responsible for the preparation of the Plan at the time, was proposing that all areas which were subject to an environmental designation would be identified as an ACMD, irrespective of their particular characteristics. Like this Council, the area covered by the Magherafelt Area Plan contains widespread mineral deposits which contribute significantly towards the local economy.

4.19 In this case the Commissioner² concluded that:

“Such an approach does not suggest that adequate consideration has been given to balancing economic and environmental considerations. A similar exercise to that suggested for the environmental designations needs to be carried out in respect of the AONB, clearly setting out those areas most vulnerable to minerals development and limiting areas of constraint to those parts of the AONB where the protection afforded by MIN 2 and DES 4 is considered insufficient”

4.20 On foot of the PAC recommendation the Department’s draft ACMD designation was deleted. The Department’s subsequent intention to introduce ACMD within the Northern Area Plan was also dropped by the Department following the Magherafelt recommendation.

4.21 The approach endorsed by the PAC is now found within the SPPS. It is clear that consideration should be given to the protection of key sites within designated sites when considering an ACMD. A detailed assessment of the key characteristics of the AONB and assessment of existing sites should be carried out in order to justify the extent of a proposed ACMD. This assessment should also take account of the fact that minerals resources can only be exploited where they are found.

4.22 For this reason the proposal to designate that part of the AONB falling within the Council area as an ACMD conflicts with the SPPS. It also fails to satisfy soundness test C3.

4.23 Dalradian also opposes the introduction of a 15 year timeframe on the extraction of minerals within an ACMD as such an approach is not found within the SPPS, does not reflect the operational practices of the minerals sector and is unjustified by evidence.

4.24 The imposition of a time restriction on mineral development is unreasonable because it is both unduly restrictive and onerous, particularly since as presently drafted the timeframe is to include construction, extraction and restoration phases. It should be noted that the construction and restoration phases for mineral extraction operations can take a number of years in themselves.

4.25 The Council appears to have defined ‘short term’ with reference to the 15 year review mechanism included with the Review of Old Mineral Permissions provided for at Section 129 of the Planning Act. This part of legislation is not in yet in place. ‘Short term’ is not defined within planning policy and must be considered in the site specific context of any proposal for a new or extended mineral development, with judgement applied on a case by case basis.

4.26 There is no evidence provided within the dPS or supporting information to support the introduction of 15 years as the definition for short term. The draft policy fails against soundness test CE2.

² Magherafelt Area Plan Planning Appeals Commission Report (January 2011), Paragraph 21.10

- 4.27 In representations to the POP, Dalradian identified that lengthy permissions had been secured for mineral extractions elsewhere³. Lengthy permissions have also been permitted in NI. In 2014 the Department of the Environment granted planning permission for 25 years of further extraction of Demesne Quarry in Glenarm within an ACMD. Condition No.2 of the permission states:

“Extraction shall be for a limited period only, and shall cease on or before the expiry of 25 years from the date of this decision, unless otherwise agreed in writing with the Department.”

- 4.28 Also, in 2016 the Department granted planning permission for 40 years of further extraction from a basalt quarry at Bridge Road, Dunloy.

- 4.29 These permissions, and other longstanding operations within ACMDs across NI, demonstrate that workings for more than 15 years can be accepted.

- 4.30 The proposal to place an arbitrary timeframe of extraction operations fails to acknowledge the wide range of factors which should be important in making a decision on how long extraction should be permitted. These factors, which vary across the mineral sector, include:

- The type of mineral extraction process (eg underground or surface level) and the required level of associated infrastructure;
- The associated level of capital investment.
- The value of the target mineral.
- The scale of the mineral resource.
- The rate at which it might reasonably be extracted.
- The environmental implications of the operation;
- The economic value of the operation.

- 4.31 Each of these variables has implications for the time it will take to prepare a site and extract the resource and, in turn, the economics of the projects. It is for this reason that an arbitrary timeframe in unacceptable and judgement is required on a case by case basis.

- 4.32 The supporting text at paragraph 4.80 states:

“However, if during the extraction phase, a mineral resource is found to be more extensive than originally indicated, the Council will consider a new planning application to extend the life of the quarry/mine and subject to the provision of the necessary supporting evidence and environmental information.”

³ York Potash, North Yorkshire National Park, Planning Application Reference NYM/2014/0676/MEIA.

- 4.33 Where a resource equating to more than 15 years is known at the point of application and, having regard to all of the material planning considerations, including the potential introduction of the Review of Minerals Permissions (ROMPS) regime, applicants should not be restricted to a permission lasting only 15 years.
- 4.34 As set out in Chapter 3 and Appendix 2, the Council has not considered any alternative options other than 15 years within the supporting evidence, including the Sustainability Appraisal. The draft policy fails against soundness test P3. The arbitrary timeframe also fails against soundness test CE4. A case by case assessment of timeframes during the development management process would be a more sound approach.
- 4.35 In addition to the position identified above we also wish to be make clear that applications for the siting of processing on site should also be considered on a case by case basis. As set out in our response to the POP, underground mining for valuable minerals, and associated processing is entirely different to the quarrying for aggregates Where is can be demonstrated that on site processing would not raise any significant adverse effects it should be considered acceptable.

Recommendation

- 4.36 Further analysis must be undertaken to establish the extent of existing mineral operations and known resources within the AONB so that they can be excluded from the proposed ACMD or otherwise safeguarded. The Council has failed to provide any additional information on existing resources.
- 4.37 Further work should also be undertaken to understand the implications of the introduction of a constraint on minerals in this area in order to fully enable the Council to carry out an assessment of their ability to provide construction minerals and the economic impact of the loss of valuable mineral extraction within areas of mineral constraint.
- 4.38 In the event that this analysis is not forthcoming the ACMD should be deleted. If, however, notwithstanding these representations and without prejudice to our participation in subsequent proceedings in respect of alternative wording, the proposal to introduce a 15 year timeframe should be removed and this reference revised to state 'short term' to align with the SPPS and facilitate a flexible approach to the consideration of applications on a case by case basis.

Draft Policy MIN02 – Restoration and Aftercare

- 4.39 We object to this policy in its entirety.
- 4.40 The Council is proposing to introduce a policy on the restoration and aftercare of mineral sites. Draft Policy MIN02 states that:
- “All materials used should be overburden and materials taken from within the site. The importation of materials to fill and restore sites will not normally be permitted.”*
- 4.41 This draft policy is inconsistent with and more onerous than the existing policy position set out in the SPPS and PSRNI MIN8 insofar as it is proposing that materials for the infill and restoration of sites should normally be sourced from within the site.
- 4.42 Paragraph 6.167 of the SPPS states:
- “In line with the objective to secure the sustainable restoration, including the appropriate re-use of mineral sites, planning applications should be required to provide adequate details demonstrating the satisfactory restoration of sites subsequent to the completion of operations. Such provisions must be underpinned by appropriate conditions attached to any to any grant of planning permission.”*
- 4.43 The SPPS does not set a requirement for restoration materials to be sourced from within the site. The draft policy, therefore, places an overly onerous requirement on applicants. Depending on the extent of restoration works required it may not be possible to provide for all materials from within the site – the general requirement for topsoil for restoration schemes is a good example. Furthermore, the restoration proposals for mineral operations will be subject to detailed assessment as part of the EIA process and where it can be demonstrated that the use of materials from outwith the site is necessary and will not have a significant adverse impact it should be considered acceptable. The use of the word ‘normally’ in the draft policy does not adequately address the overall thrust of the policy.
- 4.44 This approach does not meet soundness test C3.

Recommendation

- 4.45 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, we currently suggest that the following wording should be removed from the draft policy.
- “All materials used should be overburden and materials taken from within the site. The importation of materials to fill and restore sites will not normally be permitted.”*
- 4.46 In the absence of a satisfactory adjustment, the policy should be deleted.

Draft Policy MIN03 – Mineral Safeguarding Areas

- 4.47 We object to this draft policy in its entirety.
- 4.48 Draft Policy MIN03 is proposing that Mineral Safeguarding Areas (MSA's) will be identified around all mineral resources that the Council considers to be of economic or conservation importance. No information on the location or extent of MSA is provided within the dPS or supporting information.
- 4.49 Within their representations to the POP Dalradian expressed concerns that there was no information provided to indicate the location of MSAs and this concern remains. The Council states in the paragraph 4.88 of part 2 of the dPS that:
- “Detailed boundaries of MSA’s will be defined in the Local Policies Plan which will also contain policy on how applications within MSA’s will be treated. The identification of the physical extent of MSAs will be undertaken using current available geological and mineral resource information and in discussion with the minerals industry.”*
- 4.50 The failure to identify MSAs at this stage fundamentally undermines the Council’s proposed ACMD, in that it is expected that known resources within the AONB will be identified as MSA’s. The proposed approach would fail against soundness test CE1 as the identification of MSAs in the Local Policies Plan could not logically follow within a designated ACMD.
- 4.51 The Council claims that the information required to identify the extent of MSAs is not yet available, however, important and relevant information is available to the Council in the form of the GSNI Geological Resource maps, planning application data and long standing approaches to known resources.
- 4.52 In relation to Dalradian’s interests, further detailed evidence is available to Council as part of the publicly available planning application package supporting planning application reference LA10/2017/1249/F. This package includes a full geological assessment of the Curraghinalt deposit and demonstrates the presence of the resource. This assessment has been accepted by GSNI in their consideration of the planning application. In responding to the application GSNI state:
- “The Geological Survey has confidence in the approach adopted by Dalradian Gold, to demonstrate the geological context of the Curraghinalt gold deposit and the nature and extent of the mineralised vein system. Geologists working for Dalradian Gold have exposure to a wealth of technical information and resources to analyse and process the data collected. This information has been used to inform the planning application and is evidenced in part by the submission on geology and mineralisation that supports it.”*
- 4.53 A full copy of their response is provided at Appendix 5.
- 4.54 Furthermore the area at Curraghinalt has long been known to be an area containing a known resource of value, as referred to in the Omagh Area Plan.
- 4.55 Paragraph 17.2.4 states that *‘Mineral resources in Omagh District include not only sand and gravel and hard rock but deposits of gold and peat. Sand and gravel is the most*

actively worked resource with workings being concentrated in the Mountfield-Greencastle-Loughmacrory area, within the Sperrins AONB around Carrickmore and Sixmilecross.’ (our emphasis)

- 4.56 The Plan at paragraph 17.2.5 also makes specific reference to the gold deposit in the valley of the Owenkillew east of Gortin and the potential for commercial mining:

“Grid deposits have been identified in the valley of the Owenkillew east of Gortin and at Pollnalaght south west of Omagh. Exploratory excavations in both deposits have indicated a potential for commercial mining” (para 17.2.5)

- 4.57 In addition, planning decisions have been made with a view to safeguarding the known resource, including for example, planning application reference K/2014/0060/F and planning appeal reference 2014/A0261, relating to a proposal for the reinstatement of an existing dwelling.
- 4.58 In dealing with this application, the Department and then the Council, informed by the Minerals Management and Compliance Unit, determined that the development would be contrary to Policy MIN5 of the Planning Strategy for Rural Northern Ireland (PSRNI) relating to valuable minerals. The PAC dismissed the subsequent appeal.
- 4.59 The information required to identify Curraghinalt as an MSA is, therefore, available to the Council. Failure by the Council to consider this evidence means that the draft policy fails soundness test CE2.

Recommendation

- 4.60 MSAs should be identified at this stage of the plan making process to ensure that there is no conflict with the proposed ACMD. The Council should actively engage with the mineral sector, GSNI and operators to determine the extent of MSAs within the district in advance of the dPS progressing.

Draft Policy TOU01 – Protection of Tourism Assets and Tourism Development

- 4.61 We object to this policy in its entirety.
- 4.62 This draft policy is seeking to prohibit development which would have an adverse impact on the character or quality of a tourism asset or diminish its tourism value. The Council in the policy justification and amplification text states that:
- “the Council considers a tourism asset to be any feature associated with the built or natural environment which is of intrinsic interest to tourists. Tourism assets within the Council area are of prime importance to the tourism industry and the safeguarding of these assets from inappropriate development is vital in securing a viable and sustainable tourism industry. “*
- 4.63 The policy fails to identify those tourism assets to which the policy would be applied. In its current form the policy could apply to any location within the district. The implementation of this policy is, therefore, unclear.
- 4.64 Paragraph 4.49 of Part 2 of the dPS states that:
- “To establish the Council area as a ‘Must Visit’ destination, the Council aims to sustain and increase the number of visitors to the area, and to capitalise upon and further develop the areas’ tourism assets, facilities and infrastructure in a sustainable manner without adversely impacting upon the landscape, historic environment and built environment. For example, appropriate protection will be afforded to Cuilcagh Mountain and the unspoilt upland areas of the Sperrin AONB.”*
- 4.65 The Council’s supporting paper on Tourism (October 2018), states at paragraph 4.1 that:
- “Tourism is an integral part of the local economy with the sector having generated £56.6m in the Fermanagh area in 2017.”*
- 4.66 This compares to a contribution of £88m⁴ from the mineral sector in the District, yet as worded draft Policy TOU01 seeks to prohibit such forms of development within the vicinity of tourism assets.
- 4.67 Within the Council’s Consideration of Representations Received to the Preferred Options Paper report, dated October 2018 the following issue has been considered:
- “Need sustainable rural tourism strategies as opposed to harmful industrialisation. The Sperrins AONB must be better utilised in terms of tourism. Access to several archaeological sites in the Sperrins AONB needs to be improved and these sites developed for tourism and educational purposes. There are many other walking/cycling routes which could be developed in the area. “*
- 4.68 The Council’s response to this issue, which is identified within the same report, states:

⁴ Source: QPANI

“Fermanagh and Omagh District Council are currently collaborating with Causeway, Coast & Glens, Derry City & Strabane and Mid Ulster Council’s to address a range of themes across the Sperrin AONB.”

- 4.69 This statement indicates that further work is being undertaken in relation to tourism in the Sperrins. Without this evidence the draft policy is unsound and fails test CE2.
- 4.70 There should be no blanket ban on mineral development within the AONB in order to protect a tourism asset, particularly given that mineral resources can only be extracted where they are found. Furthermore the economic benefit of protecting the tourism asset should be weighed against the potential economic value derived from the minerals sector.
- 4.71 The Council has failed to identify within the policy what assets will be designated and has failed to weigh in the balance the impact on the local economy of such a restrictive policy.
- 4.72 The policy also fails to acknowledge that SPPS does make exception for mineral extraction within an AONB and so seeks to impose a more restrictive approach than proposed within the SPPS.

- 4.73 Draft Policy TOU01 states:

“The Council will not permit any form of development that would, in itself or in combination with existing or proposed development, have an adverse impact on the intrinsic character or quality of a tourism asset or any part thereof, or diminish its tourism value.”

- 4.74 This is inconsistent and in conflict with paragraph 6.262 of the SPPS, where it states:

“Planning permission should not be granted for development that would, in itself or in combination with existing and approved development in the locality, have an adverse impact on a tourism asset, such to significantly compromise its tourism value.”

- 4.75 The draft policy fails to meet soundness test C3. The dPS also fails to identify how impact on tourism assets will be assessed and therefore no consideration has been given to the implementation of the draft policy. As such it fails against soundness test CE3.

Recommendation

- 4.76 The Council should review the evidence base on tourism and the contribution to the local economy and all information relating to tourism assets should be made available.
- 4.77 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, the draft wording should be revised to reflect the provisions of the SPPS.

5. Environment

Draft Policy HE02 – Archaeology

- 5.1 We object to this draft policy in its entirety.
- 5.2 Under draft policy HE02 the Council has identified a proposed extension to the Beaghmore Area of Significant Archaeological Interest (ASAI). The extent is shown on Proposal Map 1 of the dPS. According to the map the ASAI will be extended to include part of the land proposed for mineral extraction at Curraghinalt.
- 5.3 Further detail on the proposed extension to the ASAI is set out in Appendix 3 of the Council's Countryside Assessment. Paragraph 2.1.1 of the report sets out that the Historic Environment Division of the Department for Communities is proposing an extension to the existing Beaghmore ASAI.
- 5.4 Within Appendix 3 of the DfC HED Report it is stated that minerals development in this area would have an adverse impact on open and distant vistas, however no visual appraisal of the proposed extension is provided and therefore there is no justification for this statement.
- 5.5 Furthermore, HED has raised no concerns to the planning application on this basis.
- 5.6 The proposed extension to the ASAI within the dPS is not based on sound evidence. The draft policy therefore fails soundness test CE3.

Recommendation

- 5.7 In the absence of further evidence on the justification for an extension to the ASAI it should be deleted. Alternatively, if notwithstanding this representation it is to be retained, it should be reduced in scale to properly reflect the extent to which it can be supported by evidence.

Draft Policy L01 – Development within the Sperrin Area of Outstanding Natural Beauty

- 5.8 We object to this draft policy in its entirety.
- 5.9 Draft Policy L01 sets out that:
- “Development proposals that would impact negatively or work to erode the distinctiveness of the Sperrin AONB or its setting, when considered individually or cumulatively alongside existing or approved development, will not be permitted.”*
- 5.10 The use of the term ‘impact negatively’ is inconsistent with the policy clarification text provided as para 5.5 of Part 2 of the dPS (‘adversely affect’). The terminology ‘adversely affect’ should be used.
- 5.11 Development in such locations is required to have regard to the distinctive character of the area, including the quality of the landscape. This would suggest that a detailed and up to date assessment of the existing landscape quality should be available. As part of the evidence provided by the Council in support of the dPS, the following papers considering landscape quality were published:
- Landscape Wind Energy Capacity Study for Fermanagh and Omagh (Ironsides Farrar, January 2018) (LWECS);
 - Landscape Character Review for Fermanagh and Omagh (Ironsides Farrar, September 2018) (LCR); and
 - Landscape Designation Review for Fermanagh and Omagh (Ironsides Farrar, September 2018) (LDR).
- 5.12 The Landscape Character Review has stated that LCA24, South Sperrins would be highly sensitive to minerals development, however this assessment is flawed. As part of the planning application for mineral extraction at Curraghinalt a detailed LVIA has been provided. This assessment, provided at Appendix 4 of this representation, demonstrates that the application site area is not highly sensitive.
- 5.13 Whilst the entirety of the LCA is located within the AONB the area which will be affected is located to the south of the more dramatic range of the South Sperrins, and will be located below the skyline of Crocknamoghil and Crocknaboy Hill, contained within the existing matrix of coniferous shelterbelts. The potential for intervisibility with the core area of the Sperrin AONB is limited and overall the landscape value of this LLCA is judged to be high. Given the susceptibility and value attached to the LCA, the overall sensitivity of the LLCA is judged to be medium.
- 5.14 Given the flaws that have been identified in the Councils landscape papers, draft Policy LO1 fails to meet soundness test CE2. Without a suitably robust baseline statement against which to assess development proposals the draft policy fails to meet soundness test CE3.

- 5.15 The approach proposed by the Council does not take account of any social or economic benefits that may arise from the proposed development. It prioritises environmental protection over social and economic benefit. This is contrary to the SPPS which identifies at paragraph 2.3 that:

“A key dimension of sustainable development for Northern Ireland is economic growth.

- 5.16 The SPPS goes on to state that:

“Planning Authorities should delivery on all three pillars of sustainable development in formulating policies and plans...”

“The SPPS does not seek to propose any one of the three pillars of sustainable development over the other. In practice, the relevance of, and weight to be given to social, economic and environmental considerations is a matter of planning judgement in any given case. Therefore, in summary furthering sustainable development means balancing social, economic and environmental objectives, all of which are considerations in the planning for and management of development. “

- 5.17 The proposed policy conflicts with and is inconsistent with the SPPS approach. The draft policy fails against soundness text C3.

Recommendation

- 5.18 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, the wording of Draft Policy L01 should be amended to state:

*“Development proposals that would have a **significant adverse impact** on the distinctiveness of the Sperrins AONB or its setting, when considered individually or cumulatively alongside existing or approved development, will not be permitted, **having regard to economic, social and other considerations.**”*

- 5.19 Furthermore the policy clarification text should refer to the need to protect the landscape character of the area, as provided for in an up to date assessment.
- 5.20 Given the flaws that have been identified in the Council’s evidence base further robust analysis of the landscape character of the AONB must be undertaken to provide a baseline, against which development proposals can be assessed and to enable the Council to monitor the impact of future development on the character of the AONB.

6. Infrastructure

Draft Policy PU02 – Overhead Electricity Lines

- 6.1 Dalradian objects to Draft Policy PU02 in its entirety. The draft policy does not provide sufficient flexibility to assess proposals for overhead powerlines associated with other forms of development which are often time limited and subject to restoration requirements.
- 6.2 The Council is proposing that powerlines will only be permitted where:
- *“They avoid Sensitive Locations and Features;*
 - *They have no unacceptable impacts on residential amenity or other sensitive receptors;*
 - *Within urban areas, they cannot be provided underground or along external surfaces of buildings; and*
 - *They comply with the with the 1991 International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines.”*
- 6.3 The policy clarification indicates the Council view that powerlines are obtrusive within the landscape. There is no evidence provide to support this statement. Furthermore the draft policy is in conflict with paragraph 6.58 of Part 2 of the dPS, where it states:
- “Every effort should be made to reduce their impact and where sensitive locations and landscapes cannot be avoided visual impact could be alleviated through the use of natural features such as existing vegetation and tree cover.”*
- 6.4 It is unclear from the policy and justification text whether proposals in sensitive locations will be permitted as the policy is inconsistent with the justification. Therefore it is difficult to understand how the policy would be implemented and as such the policy would fail against soundness test CE3.
- 6.5 As presently drafted this policy does not consider proposals where the provision of overhead powerlines may be time limited. As currently drafted the same policy consideration would apply to a permanent development and a temporary proposal. It is our view that this would be unduly onerous on a temporary proposal where restoration of the landscape would be conditioned upon removal and the timeframe for the development would be limited. In its current form the policy fails against soundness test CE4.
- Recommendation**
- 6.6 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, the wording of criterion one and two should be revised to state:
- *Every effort should be made to reduce their impact and where sensitive locations and landscapes cannot be avoided visual impact could be*

alleviated through the use of natural features such as existing vegetation and tree cover.

- They have *no significant adverse impacts* on residential amenity or other sensitive receptors.

6.7 The policy should also take account of temporary or time restricted development proposals.

Draft Policy TR06 – Disused Transport Routes

- 6.8 We object to this draft policy in its entirety.
- 6.9 The Council is proposing the introduction of a policy that would prohibit development where it would prejudice the reuse of disused routes as a transport route or a recreational, nature conservation or tourism-related use. The supporting justification text at paragraph 6.54 goes on to state recreational uses along routes will be supported where it can be demonstrated that the route cannot be retained for transport.
- 6.10 The supporting text states that:
- “These will include the potential reuse of old roads, canals, railway tracks and beds as well as other infrastructure and buildings associated within them.”*
- 6.11 The proposed approach is in conflict with and is inconsistent with the SPPS, which states that:
- “LDPs should identify and safeguard disused transport routes such as formers railway lines and canals where there is a reasonable prospect of re-use for future transport purposes. Where this is not the case, consideration should be given to as to whether protection should be afforded through the Plan for alternative purposes such as a recreational, nature conservation or tourism related use.”*
- 6.12 The SPPS does not identify old roads as being worthy of protection.
- 6.13 The Council’s evidence paper on Transportation (dated, October 2018) considers the availability of disused routes within the Council area. Paragraph 3.26 of the Transport paper states that:
- “The remnants of the former railway network (closed in the 1950’s and 1960’s) are evident in the Fermanagh and Omagh District through discussed rail track beds, many of which still retain features such as stone bridges, embankments and cuttings.”*
- 6.14 Given that the evidence base has not considered other transport routes, the justification text is not supported by evidence. The Council has only identified disused railways and potential disused transport routes within the Transportation paper and therefore cannot apply this policy to other forms of routes without first undertaking an assessment of all disused routes.
- 6.15 The policy therefore fails against soundness test CE2 as it is not supported by evidence.
- Recommendation**
- 6.16 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, given that the evidence considered only disused railways, this policy and supporting justification text should be revised to relate solely to disused railway routes, or a more detailed assessment of all other available routes should be undertaken to inform the dPS.

7. People and Place

Draft Policy HOU9 – Rural Replacement Dwellings

- 7.1 We object to this draft policy in its entirety.
- 7.2 The Council is proposing that the reuse of existing rural housing is an opportunity to upgrade the rural housing stock, whilst safeguarding the landscape against visual impact. There is no evidence to support this view within the dPS or supporting documentation, including the Landscape Character Assessment Review. Furthermore the Council has failed to consider how a policy for the reuse of existing dwellings aligns with wider sustainability objectives focused on locating residential development within sustainable locations.
- 7.3 There is an existing high level of planning permissions for development within the countryside and again no consideration has been given in the supporting evidence to the cumulative landscape and visual impact of these permissions or the impact on the delivering of services within the district.
- 7.4 With the lack of evidence provided and the conflict and inconsistency with the SPPS which seeks to promote housing in settlements, this policy fails against soundness tests CE2 and C3.
- 7.5 Finally this policy does not apply a restriction in sensitive locations like that proposed for other forms of development within the dPS. There has been no consideration given to the cumulative impact of single dwellings within sensitive locations.

Recommendation

- 7.6 Without prejudice to our participation in subsequent proceedings in respect of alternative wording, the policy must be adjusted to include reference to the last use of the building so that abandoned uses cannot be relied upon. This approach will align with established caselaw and regional policy.
- 7.7 Without prejudice to our in-principle objections, this policy cannot be pursued in the absence of analysis of the impact of many more dwellings within the countryside on the landscape character and the sustainability of services.

Draft Policy HOU11 – Redevelopment of a former site for dwelling

- 7.8 We object to this draft policy in its entirety.
- 7.9 The Council is proposing that redevelopment of a former site for a dwelling will be supported where evidence is submitted to demonstrate the previous residential use of the site, where the site has long established boundaries defining an existing curtilage, where there are a minimum of three external walls which are substantially intact or where there are two which are visible from critical views and where there are existing services on site.
- 7.10 Evidence that is required in support of an application under this draft policy includes historical mapping and photographs.
- 7.11 This policy is clearly an unprecedented relaxation of current regional policy provisions set out in the SPPS which could result in an influx of development within the countryside, contrary to the principles of sustainable development. At face value this policy provides that abandoned properties could be reused throughout the Council area. This approach conflicts with and is inconsistent with established caselaw and long standing regional planning policy.
- 7.12 Furthermore the Council has failed to consider the capacity within the landscape for such development, particularly in sensitive locations.
- 7.13 This approach conflicts with soundness test C3.

Recommendation

- 7.14 This policy should be deleted as it is unjustified.

Draft Policy HOU13 – Dwelling in association with the keeping and breeding of horses for commercial purposes

- 7.15 We object to this draft policy in its entirety.
- 7.16 The Council is proposing that this form of development will be supported where it can be demonstrated that the development is essential and could not be located within a settlement; that the applicant has been keeping and breeding horses for a minimum of 6 years; and where this constitutes as a commercial enterprise.
- 7.17 It is unclear why the Council are seeking to introduce a policy within the dPS which is not required by the SPPS or set out within the SPPS. The introduction of such a policy in our view fails soundness test C3.

Recommendation

- 7.18 This policy should be deleted.

Draft Policy HOU15 – Dwelling to serve and existing Non-agricultural business

- 7.19 We object to this draft policy in its entirety.
- 7.20 The Council is proposing that a development proposal for a new dwelling in connection with an established non-agricultural business will be supported where a site specific need is demonstrated; where there are no alternative development opportunities; and there are no reasonable alternatives.
- 7.21 It is unclear why the Council are seeking to introduce a policy within the dPS which is not required by the SPPS or set out within the SPPS. The introduction of such a policy in our view fails soundness test C3.

Recommendation

- 7.22 This policy should be deleted.

**Appendix 1: Dalradian Gold Ltd Representation
to FODC Preferred Options Paper
(November 2016)**

Fermanagh & Omagh District Council – Preferred Options Paper

Representation on behalf of Dalradian Gold
Ltd

November 2016

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Our reference
DALB3001

28 November 2016

Executive Summary

1. These representations have been prepared by [REDACTED] on behalf of Dalradian Gold Limited.
2. The representations address the specific questions raised by FODC in their Local Development Plan Preferred Options Paper and also set out the fundamental concerns which Dalradian has in respect of the approach taken by FODC.
3. Dalradian's particular concerns are set out below:-
 - (i) FODC's apparent failure to consult with the Northern Ireland Environment Agency in respect of its draft Scoping Report. This failure fundamentally undermines the Sustainability Appraisal and Strategic Environmental Assessment carried out (see Section 9);
 - (ii) FODC's failure to consult with the Department for Economy and the Geological Survey of Northern Ireland to ensure that its Local Development Plan Process is based on sound evidence (see Section 6);
 - (iii) FODC's failure to base their Preferred Options Paper on sound landscape evidence and to carry out a landscape character assessment, in accordance with good practice (see Section 6);
 - (iv) FODC's approach to minerals policy in particular the following:-
 - Premature consultation on its Preferred Option in the absence of evidence in relation to mineral resource safeguarding, with the result of inadequate interrogation and an unlawful approach;
 - Its conclusion that the impacts on the economy from mineral extraction are neutral, for which there is no evidence base;
 - Failure to distinguish between the different parts of the minerals sector when developing policy;
 - The application of an area of Constraint Minerals Development on the Sperrin AONB;
 - Failure to comply with the policy within the Strategic Planning Policy Statement and failure to identify the specific areas most vulnerable to minerals development;
 - The 15 year limit on minerals development which has no evidential base and is not justified.
- 5) The failure of the F&O Local Plan Interim SA Report to meet the requirements of the legal requirements of the EAPP regulations and specifically Regulation (11) and the assessment of reasonable alternatives. Without the identification of the

proposed areas of safeguarded minerals an accurate sustainability appraisal of the different options to deliver the minerals policy cannot be undertaken.

1. Introduction

- 1.1 These representations have been prepared by [REDACTED], on behalf of Dalradian Gold Limited ('Dalradian').
- 1.2 Dalradian currently has base and precious metal Mineral Prospecting Licences for land in County Tyrone. With a resource of 2.1 million ounces in the measured and indicated category and another 2.3 million in the inferred category, the deposit at Curraghinalt is the largest defined discovery of vein gold mineralisation in the UK and Ireland. By grade it is one of the most significant undeveloped deposits in the world.
- 1.3 On 3 October 2016, Fermanagh and Omagh District Council ('FODC') published their Local Development Plan Preferred Options Paper ('POP') for consultation. These representations also respond to the contents of the following documents which were published alongside the POP:
- SA Scoping Report & Appendices;
 - Preferred Options Paper Interim Sustainability Appraisal Report; and
 - Statement of Equality Impact Assessment.
- 1.4 The following background documents, prepared by FODC have also been considered in preparing these representations:
- Position Paper 1 – Population and Growth (June 2014)
 - Position Paper 2 – Housing (November 2014)
 - Position Paper 3 – Employment and Economic Development (January 2015)
 - Position Paper 4 – Town Centres and Opportunity Sites (February 2015)
 - Position Paper 5 – Environmental Assets (May 2015)
 - Position Paper 6 – Transportation (May 2015)
 - Position Paper 7 – Tourism (June 2015)
 - Position Paper 8 – Public Utilities (July 2015)
 - Position Paper 9 – Minerals (October 2015)
 - Position Paper 10 – Education, Health and Community (October 2015)
 - Position Paper 11 – Open Space, Recreation and Leisure (October 2015)
 - Position Paper 12 – Strategic Settlement Evaluation (November 2015)
 - Position Paper 13 – Housing Allocation (November 2015)
 - Position Paper 14 – Landscape Character Assessment (December 2015)
 - Position Paper 15 – Development Pressure Analysis (December 2015)
- 1.5 We note that FODC are consulting on their Community Plan during this same period and a separate submission will be made in response to that document.

Structure of this Report

- 1.6 This report is structured to reflect the Preferred Options Paper Questionnaire provided by FODC. In particular it responds to the following questions:

- **Question 1** - Do you agree with FODC's List of objectives?
- **Question 6** - Do you agree with FODC's preferred option for sustaining rural communities?
- **Question 7** - Do you agree with FODC's preferred option for addressing deprivation/regeneration in rural areas?
- **Question 9** - Do you agree with FODC's preferred option for addressing mineral development?
- **Question 9b** - Are there any other areas that should be considered as Areas of Constraint on Mineral Development?
- **Question 11** - Do you agree with FODC's preferred option for addressing Integrated Renewable Energy and Passive Solar Design in new Development?
- **Question 11b** - Do you agree with the suggested thresholds of 1 hectare or greater in size or 1000m² or greater? Should they be higher or lower and if so, what would be your reason?
- **Question 16** - Do you agree with the Council's preferred option for supporting good design and place-making?
- **Question 16b** - Do you think that there should be supplementary planning design guidance produced specifically for the Sperrins AONB in conjunction with adjoining 'AONB' Councils?; and
- **Question 28** - Do you have any comments on the content or findings of the Sustainability Appraisal Interim Report?

1.7 This report concludes by setting out concerns in respect of compliance of the POP with the legislative requirements of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('the Regulations'), and the Departmental guidance set out in Development Plan Practice Note 05 – Preferred Options Paper (April 2015) ('the 2015 Practice Note').

2. A Spatial Portrait of the District

2.1 Section 2 of POP sets out the key characteristics of the District and the issues that will need to be addressed by the LDP.

2.2 In discussing the economy in FODC, paragraph 2.17 states that:

“Minerals development is also important to the local economy with sand, gravel and limestone being the most common mineral resources in the District. Mineral production not only provides raw materials for the construction industry but also provides local employment within the mines and quarries and through support industries such as engineering equipment. “

2.3 Dalradian fully endorses this statement. Indeed as an existing mineral operator within the District, the company currently employs 42 people directly and provides further employment indirectly. This employment covers a range of jobs across different skill levels, including:

- Environmental monitoring and management
- Health and safety officers
- Finance and human resources
- Administrators
- Managers, electrician, builders and plumbers
- Construction Workers
- Engineers, surveyors and geologist
- Miners and Drillers; and
- Drivers and machine operators.

2.4 We support the view that the minerals industry contributes to the local economy through the creation of jobs directly but also indirectly through supply chain effects, inter-related industries and the wider economy. At present an estimated 700¹ jobs are supported by the wider activities of the industry in FODC. A total of 5,600 jobs are estimated to be supported by the mining, quarrying and quarrying products industries across Northern Ireland². That does not include the numerous jobs in construction and industry that rely on these sectors for essential inputs.

2.5 The proposed Curraghinalt Project could support c.300 construction jobs across the 15-25 month build period; up to 350 permanent jobs during the operation of mine alongside

¹ Quarry Products Association NI, Omagh & Fermanagh Brochure, <http://www.qpani.org/documents/omaghfermanaghbrochure.pdf> accessed 28.11.16

² Quarry Products Association NI, http://www.qpani.org/pro_figures01.htm, accessed 28.11.16

indirect and induced jobs³. In the context of the local economy, this will be a significant and beneficial effect.

- 2.6 We propose that the Council should acknowledge the range and type of jobs that are supported by the minerals industry during both construction and operation. As demonstrated above, the industry supports a range of skills across a diverse range of disciplines, offering opportunities for opportunities for people across the skills levels in mining and supporting roles.

³ These projections are based on preliminary estimates of construction methods and output quantity and value and are subject to change as plans are refined and finalised.

3. The Vision & Strategic Objectives

Question 1 – Do you agree with the Council’s List of objectives?

Vision

- 3.1 Dalradian supports the Vision for FODC:

“Of a vibrant, living place where people enjoy improved wellbeing and prosperity in a safe, shared, connected and sustainable environment.”

- 3.2 Dalradian supports the proposed vision for the District and in providing employment and investment in the District their proposals will contribute towards that vision. Indeed, Dalradian currently makes a contribution towards this vision through existing employment provision and investment. Dalradian currently employs 42 people directly in a range of jobs.

Strategic Objectives

Social – To improve the wellbeing of all our citizens and develop thriving and rural and urban communities

- 3.3 Dalradian supports the social objective set out in the POP.
- 3.4 Poor economic circumstances are one of the primary influencers of health and wellbeing inequalities. Communities with high levels of socio-economic deprivation are more likely to suffer from morbidity, injury, mental anxiety, depression and higher rates of premature deaths compared to less deprived communities⁴⁵⁶.
- 3.5 Improving economic prosperity within a community through education and employment opportunities can significantly improve long term health. Therefore, projects with the potential to offer long-term, stable employment prospects at the local level with opportunities for promotion and advancement through training and experience are therefore regarded as contributing to improved health and wellbeing.
- 3.6 The proposals put forward by Dalradian will assist in the delivery of the objective to develop thriving communities, offering employment and training opportunities which will assist in improving the wellbeing of residents and sustaining local communities.
- 3.7 Dalradian already supports this objective, with its current employees and with eight students already having had fully paid internships with the company. Furthermore, Dalradian also offers bursaries in partnership with South West College to applicants from across a range of subjects.

⁴ Beland F, Birch S, Stoddart G. (2002). Unemployment and health: contextual-level influences on the production of health in populations. Soc Sci Med 2002;55:2033-52.

⁵ Stafford M, Martikainen P, Lahelma E, Marmot M. (2004). Neighbourhoods and self rated health: A comparison of public sector employees in London and Helsinki. J Epidemiol Community Health 2004;58:772-8.

⁶ Van Lenthe FJ, Borrell LN, Costa G, Diez-Roux AV, Kauppinen TM, Marinacci C, Martikainen P, Regidor E, Stafford M, Valkonen T. (2005). Neighbourhood unemployment and all cause mortality: a comparison of six countries. J Epidemiol Community Health 2005;59:231-237.

3.8 Dalradian has also invested in local communities, spending approximately £100,000 per annum via the Tyrone Fund. This a significant contribution towards the community and has included:

- Funding community projects and groups including older people's groups and activities involving children and young people;
- Funding for capital items for groups experiencing emergency capital costs, e.g. photocopies, painting and repairs and equipment;
- Funding for environmental projects, for example the Fresh Water Pearl Mussel Protection Project which has installed approximately 2000m of fencing along the Owenkillew River and its tributaries; and
- Funding for schools, including the provision of environmental awareness classes.

3.9 Dalradian is committed to continuing to invest in the local community through supporting local organisations, sports teams, schools and environmental and educational projects.

3.10 In addition, the development proposals at Curraghinalt will facilitate improvements in infrastructure, namely roads, which will be a benefit to the wider community.

Economic – To create better employment opportunities for all by supporting the growth and development of a more productive local economy and better connected areas.

3.11 Dalradian fully supports the economic objectives set out the in POP.

3.12 The Council's Mineral Topic Paper (October 2015) states that minerals are 'essential for the sustainable development of an economy'. Dalradian welcomes the recognition of the importance of the minerals industry to the local economy.

3.13 Dalradian's current operations within the District employ 42 people, either directly or indirectly across a range of job types. Furthermore Dalradian has, to date, employed eight fully paid interns and currently offers bursaries in partnership with South West College across a range of subjects.

3.14 Dalradian's future proposals for mineral extraction in the District will further contribute to the creation of employment opportunities across a wide spectrum of skills, which will comprise:

- Environmental monitoring and management
- Health and safety officers
- Finance and human resources
- Administrators
- Managers, electrician, builders and plumbers
- Construction Workers

- Engineers, surveyors and geologist
 - Miners and Drillers; and
 - Drivers and machine operators.
- 3.15 The Council's supporting document 'Position Paper 9 – Minerals' estimates that Dalradian's proposals for the Curraghinalt resource could support 300 jobs during construction and a further 350 jobs during the operational phase. This would represent a significant employment contribution when considered against the 700 people in FODC and 1,970 people across Northern Ireland who are currently directly employed in the mining and quarrying sectors⁷. Indeed it would equate to 50% of the current number of employees in FODC in the quarrying industry.
- 3.16 In addition, the development proposals would generate indirect and induced jobs. Indirect jobs will be related sectors and wider supply chain supporting the mining sector. Induced jobs will be supported across multiple sectors, arising due to the wages generated by Dalradian's economic activity. This will be a significant beneficial effect in the context of the local and Northern Ireland economies.
- 3.17 Furthermore Dalradian is committed to implementing a full Skills and Training Strategy. Measures will also be put in place to provide programmes to assist local people in having the opportunity for employment and will identify and support local suppliers and promote local supply chain opportunities to the maximum extent possible.
- 3.18 The development at Curraghinalt will also represent a sizeable foreign investment within FODC, which would generate confidence for further investment in the District.
- 3.19 To date, Dalradian has spent c.£16 million in County Tyrone and £27 million across Northern Ireland as a whole. This significant investment would continue to grow over the lifetime of the proposed development. This would support increased output in to the local and Northern Ireland economies.

Environmental – To promote positive action on climate change, sustainable management and enhancement of the built, cultural and natural environment.

- 3.20 Dalradian supports the environmental objectives set out the POP and is committed to ensuring high quality design in its development at Curraghinalt. Consideration is also being given to introduction of measures to tackle climate change through the siting and construction of buildings. The proposal also includes the processing of materials and waste on site which will result in avoidance of otherwise additional traffic movement.
- 3.21 In preparing proposals for the development at Curraghinalt careful consideration has been given to the siting of buildings and structures with regard to landscape and visual impact, natural environment, amenity, built and heritage environment and water management.
- 3.22 Statistics for 2014-15 issued by NIEA⁸ show that the mineral and quarrying industry has one of the highest compliance rates for water discharges from their sites and is not

⁷ NISRA, Census 2011, Table DC6106NI: Industry by Age by Sex

⁸ Quarry Products Association NI

identified as a source of complaint in the Noise Compliance Statistics. Furthermore, the industry is one of the most regulated sectors, with regulatory requirements covering all environmental aspects, including ecological habitats, water management, waste management, air quality and noise. The proposed operations at Curraghinalt would be subject to such regulations and further licensing requirements and monitoring by NIEA.

- 3.23 Dalradian acknowledges that they have a role to play in conserving the environment and the impact of their proposals on the natural and built environment will be considered through the development management process.

4. Main Issue 4: Development in the Countryside; Sustaining Rural Communities

Question 6: Do you agree with the Council's preferred option for sustaining rural communities?

Response – Neutral

- 4.1 Dalradian supports the Council's preference to sustain rural communities within FODC. Their existing operations within the district currently provide jobs for the rural community with all but three current employees living within FODC. The future proposals at Curraghinalt will significantly expand on the current level of employment and programmes will be put in place to ensure that local people are well placed to have access to employment opportunities, to the maximum permissible extent.
- 4.2 In relation to the proposed relaxation of policies for the provision of housing in the countryside, it is critical that to ensure that such development would not prejudice the delivery of minerals development and the need to continue to safeguard these resources should be reflected in any proposed policy for housing development in the countryside.
- 4.3 Policy MIN 5 of the Planning Strategy for Rural Northern Ireland states:
- “Surface development which would prejudice future exploitation of valuable mineral reserves will not be permitted.*
- Where there are mineral reserves, e.g, lignite (brown coal), which are considered to be of particular value to the economy and those reserves have been proven to acceptable standards, surface development which would prejudice their exploitation will not be permitted. Policy Areas in respect of such minerals will, where appropriate, be defined in development plans. “*
- 4.4 FODC is proposing to carry forward this policy into their Plan Strategy, and this is welcomed by Dalradian, however it is critical that a consistent and coherent approach is adopted and that regard is had to this objective in preparing policies for surface development within the countryside. Inappropriate surface development within an area of known resource could sterilise a multi-million pound investment, as the resource can only be mined where it is found.
- 4.5 It is essential that the proposed Special Countryside Areas should have regard to the existing designations and in particular the extent of the AONB designation. The AONB designation provides appropriate control over the development that can take place within it and as such FODC should carefully consider whether any further controls are required within this area. Given the lack of detail showing the extent of such areas and the lack of any justification it is not possible to provide more comment at this stage.

- 4.6 We would also refer to Appendix 1 of this Report, which sets out a review of FODC's landscape assessment reports. This review has been undertaken by Land Use Consultants and demonstrates that the evidence provided by FODC in relation to landscape capacity and development pressure and which has informed FODC's options on development in the countryside, is not a reliable evidence base.

5. Main Issue 6: Economic Development – Addressing Deprivation/Regeneration in the Rural Area

Question 7: Do you agree with the Council's preferred option for addressing deprivation/regeneration in rural areas?

Response – Support

- 5.1 Dalradian welcomes FODC's recognition, set out at paragraph 7.3, that employment in FODC is focused on traditional sectors, including quarrying-related industries.
- 5.2 Paragraph 7.5 of the POP states that:
- "Historically the FODC area has suffered higher rates of long-term unemployment relative to the Northern Ireland average. The majority of job losses resulting from the recession have been from the agricultural and construction sectors between 2008 and 2013, affecting mainly males."*
- 5.3 It is these sectors which also have transferrable skills for the mining industry and indeed around 25% of the 42 people currently employed by Dalradian are previously from agricultural and construction backgrounds. The Curraghinalt Project would support c.300 construction jobs across the 15-25 month construction period, up to 350 operational jobs including a proportion which would be suitable for local people who may have lost jobs during the recession; and indirect and induced jobs in the wider economy.
- 5.4 The same section of the POP also recognises that claimant levels in the District have increased significantly as a result of the recession, to 37.5%, which is above the NI average. High levels of youth unemployment are also an area of concern for the District, which again is higher than the NI average.
- 5.5 Dalradian currently supports 42 direct jobs, comprising a mix of skills. They also currently provide training opportunities for young people by way of internships and support further education through the provision of bursaries in partnership South West College. Furthermore, the proposed mineral extraction operations at Curraghinalt could sustain up to 350 additional jobs and programmes will be put in place to ensure that local people have the opportunity to benefit, to the maximum possible extent.
- 5.6 The proposed operations at Curraghinalt will require the use of state of the art techniques to extract and process the ore to produce gold. These operations require skilled workers, who are specifically trained for the tasks. Dalradian is committed to investing in training local people to develop these skills where possible.
- 5.7 In this regard Dalradian supports FODC's preferred option for addressing deprivation in the rural area and considers that its activities will be beneficial to this aim.

6. Main Issue 7: Mineral Development

Question 9: Do you agree with the Council's preferred option for addressing mineral development?

Response – Oppose

- 6.1 The Council's preferred option for addressing mineral development in FODC is Option 3, which comprises:
- 1) Continuation of approach set out in PSRNI Policy MIN 1 – MIN 8;
 - 2) Addition of an update to the policy detail for environmental protection, safety and amenity, traffic and restoration, adhering to the principles of sustainable development;
 - 3) Introduction of a time limit for prospecting / exploratory works to protect the Sperrin AONB, UNESCO Marble Arch Caves, Global Geopark, Areas of Nature Conservation, Areas of Archaeological Interest and Areas of High Scenic Value from Mineral Development except where operations are short-term (less than 15 years) and where environmental/amenity impacts are not significant – Areas of Constraints on Mineral Development; and
 - 4) Introduction of Areas of Minerals Safeguarding.
- 6.2 Dalradian's activities and priorities mean that this part of the POP is critical. Dalradian oppose the Council's preferred option because the Curraghinalt resource is acknowledged but the Council's preference is to introduce a constraint notwithstanding the recognition in strategic policy that minerals can only be extracted from where they are found. The Council should obtain whatever evidence it requires from the Department for Infrastructure, or GSNI, to ensure that the emerging Plan does not contradict the established approach to safeguarding this resource, and the opportunity it represents. It should also revisit its evidence base on landscape to ensure that its proposed approach to constraint is both informed and proportionate. It should only move to designate areas of constraint once it has a clear and defensible view on both the opportunity which exists within its boundaries, and the areas where constraints are legitimately required.
- 6.3 Furthermore, the Council's preferred approach to local minerals policy does not distinguish between the different parts of the minerals sector. Underground mining for valuable minerals, and associated processing, raises an entirely different set of planning issues to quarrying for aggregates. Whilst the Council's preferred option includes a continuation of the PSRNI approach, MIN4 (Valuable Minerals), which acknowledges this particular part of the minerals sector, does not appear to have informed the preferred approach, which is instead broad to the extent that it covers all types of

minerals. National planning policy in England sets out a clear expectation that a disaggregated approach is expected. Section 13 of the NPPF⁹ specifically sets out that:

Minerals planning authorities should plan for a steady and adequate supply of aggregates....(Paragraph 145); and

Minerals planning authorities should plan for a steady and adequate supply of industrial minerals.... (Paragraph 146)

- 6.4 This approach is also endorsed in Planning Practice Guidance in England, which set clear guidance on planning for different types of minerals¹⁰.
- 6.5 In preparing minerals policies and planning for mineral extraction the Planning Practice Guidance, England¹¹ also states:

“Mineral planning authorities are encouraged to plan for minerals extraction using Ordnance Survey-based proposals maps and relevant evidence provided by the minerals industry and other appropriate bodies.....This approach will allow mineral planning authorities to highlight where mineral extraction is expected to take place, as well as managing potentially conflicting objectives for use of land.”

Mineral Safeguard Areas

- 6.6 Dalradian welcomes the acknowledgement of the gold resource at Curraghinalt set out in paragraph 8.6 of the POP. FODC's Minerals paper also identifies that gold is a valuable resource and that a resource of 1,004,100 ounces of gold has been established. Since the publication of their paper, in 2015, further assessment work has now established a resource at Curraghinalt of 4.4 million ounces¹².
- 6.7 Whilst Dalradian welcomes the planned inclusion of mineral safeguard areas we are concerned that no information is provided to indicate their location and no evidence is given of appropriate consultation with GSNI to secure this information in time for the publication of the POP. The failure to include evidence in respect of the Mineral Safeguard Areas fundamentally undermines the preparation of the policy and the identification by the Council of any preferred option. It is currently working within a vacuum and the public and other stakeholders are being invited to comment upon an inchoate position.
- 6.8 For FODC to progress further with its planned strategy without a firm evidential base severely prejudices the entire process and its ability to formulate a sound local development plan. All elements of the preferred option have to be considered in taking the matter forward and the approach being proposed by the Council prevents this.

⁹ National Planning Policy Framework, 2012

¹⁰ <http://planningguidance.communities.gov.uk/blog/guidance/minerals/>

¹¹ Planning Practice Guidance Paragraph 007 Reference ID 27-007-20140306
<http://planningguidance.communities.gov.uk/blog/guidance/minerals/planning-for-minerals-extraction/>

¹² Technical Report for the Northern Ireland Gold Project, Northern Ireland, Dalradian Resources Inc. June 2016

6.9 It is therefore essential that this matter is urgently reconsidered and the following steps taken:-

- Appropriate information should be obtained from GSNI as part of the statutory consultation process.
- Proper consideration of the options in respect of minerals development should then be carried out;-
- A preferred option should be identified by FODC;
- A further consultation exercise should then take place.

6.10 We would also highlight that the assessment of the appropriate information and options should be subject to further consideration and assessment as part of the SA process. More detail on this is provided in Section 9 of this document.

6.11 Without prejudice to the points made above, we have set out below to the extent possible, our comments on the other elements of the preferred option.

6.12 In relation to policies for the safeguarding of minerals we would remind FODC that the extraction of minerals is dependent upon the availability of sufficient land to provide for the processing and storage of materials and their distribution. This approach is in endorsed elsewhere in England through the Planning Practice Guidance¹³.

“Planning authorities should safeguard existing, planned and potential storage, handling and transport sites to:

ensure that sites for these purposes are available should they be needed; and

prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.” Paragraph: 006

6.13 This approach ensures the operations to extract and distribute minerals can take place without impact on amenity. FODC’s mineral policy needs to recognise this important factor.

6.14 The introductory discussion on Minerals sets out at paragraph 8.2 that the thrust of regional policy is to balance the need for mineral resources against the need to protect and conserve the environment. We are concerned by the terminology used as the balance should be; ‘with’ rather than ‘against’. Paragraph 8.3, then assumes that minerals development has an adverse impact on the environment. There is no evidence provided in the POP, or supporting position papers which demonstrates this conclusion and the conclusion is misplaced.

¹³ Planning Practice Guidance - Planning Practice Guidance - Paragraph: 006 Reference ID: 27-006-20140306
<http://planningguidance.communities.gov.uk/blog/guidance/minerals/minerals-safeguarding/>

6.15 Furthermore environmental issues represent only one element of sustainable development and due weight should also be given to the social and economic elements of sustainable development.

6.16 We note the acknowledgement at paragraph 8.5 that:

*“Mineral extraction forms a **significant contribution to the local economy**, providing raw materials and creating employment”.*

6.17 We are however concerned by the FODC’s conclusion in the Interim Sustainability Appraisal (SA) that some of the impacts on the economy are neutral, a conclusion for which there is no evidence base. In FODC alone, the minerals industry supports over 700¹⁴ jobs through direct employment and contributes c.£88 million¹⁵ to the economy each year which is a significant contribution.

6.18 Dalradian’s current exploration operations at Curraghinalt currently employ 42 people through direct employment. It is estimated that the proposed mineral extraction at Curraghinalt could also generate 350 jobs and generate a significant GVA annually. This would represent more than half of the current direct employment supported by the minerals industry in the council area.

6.19 The output of the Curraghinalt Project would be equivalent to 0.37% of the NI economy and could result in reduction in the trade deficit by 2.2%. This is a substantial contribution for a single development project.

6.20 In addition, the proposed development could support c.300 jobs in construction during the 15-25 month construction period and would also support a significant number of indirect and induced jobs. The significant investment proposed for Curraghinalt could also generate further investment in to the District as the proposed operations will develop new skills to be exploited, new equipment requirements and would set FODC apart from other Council areas in terms of the mining specialisms.

6.21 This is not an insignificant nor neutral contribution.

6.22 This point is considered further at Section10 of this report, which responds specifically on the content of the Interim SA and the consideration of the economic impact of mining.

6.23 We welcome FODC’s acknowledgement at paragraph 8.5 of the POP that *“Minerals are a finite resource and **can only be worked where they are found**”* and for this reason it is important to ensure that resources are not unduly constrained and, appropriate safeguarding is put in place. We therefore support FODC’s proposal to carry forward Policy MIN 5 of the PSRNI, which states:

“Surface development which would prejudice future exploitation of valuable mineral reserves will not be permitted.

Where there are mineral reserves, e.g, lignite (brown coal), which are considered to be of particular value to the economy and those reserves have been proven to acceptable

¹⁴ Quarry Products Association NI

¹⁵ Quarry Products Association NI

standards, surface development which would prejudice their exploitation will not be permitted. Policy Areas in respect of such minerals will, where appropriate, be defined in development plans. “

- 6.24 The approach being set out by the Council at Option 3 is unduly prohibitive on the mineral industry and does not take account of the significant economic contribution that the sector makes towards the local economy, and indeed regional and national¹⁶ economy, and its importance for other sectors, including the construction industry.
- 6.25 None of the options presented in the POP consider the economic impact that would result from the loss of future investment in the sector as a result of constraints on mineral development.

Areas of Constraint on Minerals Development (ACMD)

- 6.26 Within the POP, the Council states that the retention of the existing policies and addition of greater environmental and amenity protection will address:
- The need to minimise adverse impact of mineral workings on neighbouring communities, sensitive land uses, the historic environment, biodiversity and the water environment.
 - The need to ensure that restoration of mineral workings enhance and complement the natural and historic environment and contribute to biodiversity.
- 6.27 At present the Council is seeking to protect sensitive areas such as the Sperrins AONB from minerals extraction through the designation of an ACMD. This is a new proposal for this part of the District, which was previously included within the Omagh Area Plan, where no ACMDs were identified. In proposing an ACMD the Council have not set out what aspect of mineral extraction they are seeking to protect the AONB from. For example, other forms of development, such as agricultural and residential development, will still be permitted within the AONB. These developments will have an impact on the appearance of the AONB but will not be subjected to the same level of mitigation that Dalradian is proposing for the Curraghinalt development.
- 6.28 Furthermore, FODC acknowledges that it is an area that is rich in minerals and indeed Dalradian welcomes this recognition. However, it is important that each mineral is considered separately in terms of the requirements for extraction and the contribution to the economy. Whilst FODC's POP and the Minerals Position Paper reference the economic value of the quarrying and minerals sector, it is our view that the value of precious metals should be considered separately to the construction related extractive industries. The extraction of precious metals, such as gold, is very distinct and therefore merits its own consideration.
- 6.29 Whilst the existing mining and quarrying sector in FODC employs 700 people, it is proposed that the mining operations at Curraghinalt could employ 350 people. This would represent 50% of the existing number of people and demonstrate the significant difference between the construction aggregates and precious metals sectors. The

¹⁶ Mineral Products Association – Across the UK the mineral employed 78,000 people in 2014 (The Minerals Products Industry at Glance - 2016)

current aggregates sector currently contributes £88 million to the local economy. The Curraghinalt Project in particular would be of substantial benefit to the Northern Ireland economy due to the value of gold – especially as an export. The output of the Curraghinalt Project would be equivalent to 0.37% of the NI economy and could result in a reduction in the trade deficit by 2.2%. This is a substantial contribution for a single development project.

6.30 These economic considerations should be given substantial weight alongside environmental considerations.

6.31 In identifying the AONB as an ACMD, the POP states that :

“the Council’s approach is that both these areas should be afforded greater protection due to concerns about the environmental impacts of mineral extraction and in recognition of their scenic quality, amenity value and geological interest. “ (Paragraph 8.13)

6.32 This approach suggests that there are concerns about the environmental impact of minerals development but no evidence of such impact is provided or considered in either the POP or supporting position papers.

6.33 The Council acknowledges the presence of gold resources at both Curraghinalt and Cavanacaw at paragraph 8.6 of the POP. This acknowledgement is welcomed; however we oppose the designation of an ACMD across the entire expanse of the AONB in the District. Paragraph 6.155 of the SPPS states that:

“where a designated area such as an Area of Outstanding Natural Beauty (AONB) covers expansive tracts of land, the LDP should carefully consider the scope for some minerals development that avoids key sites and that would not unduly compromise the integrity of the area as a whole or threaten to undermine the rationale for the designation.”

6.34 It is important to consider that minerals can only be extracted at their source. The approach, as set out by FODC, fails to comply with the SPPS which must be taken into account as part of this process.

6.35 In the case of the Magherafelt Area Plan 2015, a similar proposal was put forward. In this case the Department of the Environment, which was responsible for the preparation of the Plan at the time, were proposing that all areas which were subject to an environmental designation would be identified as an ACMD, irrespective of site circumstances. Like FODC, the area covered by the Magherafelt Area Plan contains widespread mineral deposits which contribute significantly towards the local economy. In this case the Commissioner¹⁷ concluded that:

“21.11 Such an approach does not suggest that adequate consideration has been given to balancing economic and environmental considerations.

¹⁷ Magherafelt Area Plan Planning Appeals Commission Report (January 2011), Paragraph 21.10 – Appendix 2 of this report

21.22 A similar exercise to that suggested for the environmental designations needs to be carried out in respect of the AONB, clearly setting out those areas most vulnerable to minerals development and limiting areas of constraint to those parts of the AONB where the protection afforded by MIN 2 and DES 4 is considered insufficient”

- 6.36 As a result of the Commissioner’s report it was recommended that the proposed designation of ACMDs was reviewed by the Department to determine if they were indeed required and, if required, the extent of the ACMDs. In the Magherafelt Area Plan Adoption Statement, dated December 2011, the Department sets out that it accepts the Commissioner’s recommendation that the ACMD designation is deleted and has amended the plan accordingly.
- 6.37 SPPS endorses the position taken in the Magherafelt Area Plan 2015 and is clear that consideration should be given to the protection of key sites within designated sites when considering ACMD. A detailed assessment of the key characteristics and sites within the AONB should therefore have been carried out to justify the extent of the proposed ACMD.
- 6.38 It is our view, and it is evident by the presence of existing mineral operations and extant permissions for development within the AONB that there is scope for mineral extraction within the AONB. The options set out in the POP are prejudiced on the basis that the Council considers that minerals development will have an adverse environmental impact. This conclusion is not evidenced and as discussed earlier, the minerals sector is highly regulated, which will ensure that environmental impacts on neighbouring communities, biodiversity, land use and the historic environment are minimised and managed. Furthermore, it is recognised that environmental enhancements can be gained from such operations, for example, carefully planned rehabilitation of habitats can assist in restoring and enhancing native species¹⁸ and restoration schemes can provide new habitats (e.g. woodland).
- 6.39 In order to inform the LDP process FODC undertook a Landscape Capacity Assessment (Position Paper 14). This assessment concluded that Dalradian’s resource at Curraghinalt falls within the Local Character Area 24 as defined in the NICLA 2000, with a low capacity to absorb new development.
- 6.40 In order to understand FODC’s assessment of landscape capacity, Dalradian has instructed landscape consultants, Land Use Consultants, to undertake a review of the POP and the supporting positions papers. The full assessment is provided at Appendix 1 however we summarise the key conclusions below:
- Land Use Consultants undertook a review of the Position Paper 5 (Environmental Assets), 14 (Landscape Character Assessment) and 15 (Development Pressure Analysis);
 - The evaluation of landscape sensitivity and capacity set out in Position Paper 14 (Landscape Character Assessment) is not grounded in best practice guidance such as:

¹⁸ 3.25 Oceana Gold Macreas, New Zealand, Relocation of the Copper Tussock to allow the Otago Skink (lizard) to establish a new habitat.

- Third Edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3), published by the Landscape Institute and Institute of Environmental Management and Assessment, 2013; and
 - Guide to Commissioning a Landscape Capacity Study, SNH, 2011
- The assessment is based on previously published material such as NILCA 2000 and the SPG for Wind Energy Development Furthermore the interpretation of available material is inconsistent.
 - Position Paper 15 (Development Pressure Analysis) is focused on housing and wind energy and no consideration is given to the development pressure from mineral development.
 - The lack of rigour shown in the landscape evaluation set out in Position Paper 14 suggests that there is a risk that an area of pressure identified in Position Paper 15 could be misinterpreted as a constraint on all forms of development.
 - The papers do not provide a reliable assessment of the landscape sensitivity or capacity of the AONB, and do not represent reliable evidence base for policy formulation or decision making;
 - There is no evidence to suggest that the Curraghinalt project area does not have the capacity to absorb new development;
 - GLVIA3 paragraph 5.14 notes that sensitivity studies *“cannot provide a substitute for the individual assessment of the susceptibility of the receptors in relation to the change arising from the specific development proposal.”*
- 6.41 Land Use Consultant also reviewed the Council’s assessment of the capacity for development within LCA 24 (South Sperrins). Appendix 4 of Position Paper 14 assessed LCA 24 as being of high-scenic quality. This is based on the fact that it is “an upland river valley with broad rounded ridges”, a quote from the NILCA, and that it is in the Sperrin AONB. It is also assessed as having high sensitivity, on the basis of “unspoilt character and many valued characteristics and features”. This assessment by the Council draws specifically from the text of the NILCA and is not based on consistent criteria as paragraph 6.2 of the paper does set out the process for scoring landscape characteristic for each LCA but it is not clear how this was then done or how this relates to the capacity assessment.
- 6.42 The ‘principles’ cited for this LCA comprise two very specific statements on suburban-style development and tourist facilities. There is no evidence to support the overall assessment of low capacity to support development. In Section 6 of Position Paper 14, LCA 24 is listed as one of the ‘vulnerable’ character areas, but again there is no evidence to support the capacity assessment.
- 6.43 It is Land Use Consultants’ view that paragraph 6.3 of Position Paper 14 demonstrates how the evaluation process has been undertaken without any understanding of landscape assessment principles. Paragraph 6.3 states that:

“The NICLA 2000 reports do not indicate the level of sensitivity to change for all LCAs. In some instances the clues to the ability to absorb further development may be contained under the heading ‘Principles for Accommodating New Development’. If no such information is found, it may be inferred that the landscape has a strong capability of accepting change and therefore a score of ‘low’ in terms of sensitivity should be recorded.”

- 6.44 Paragraph 6.3 describes how the assessment of sensitivity has been “inferred” based on “clues” within the NILCA. It is the view of Land Use Consultants that these “clues” do not constitute evidence for a reliable assessment of landscape sensitivity.
- 6.45 Dalradian therefore considers that the conclusion by the Council that LCA 24 has a low capacity for development has no evidential base and is unjustified.

Introduction of a time limit for prospecting/exploratory works

- 6.46 The Council is seeking to introduce a time limit for mining operations within sensitive locations to 15 years. This will include development within ACMDs.
- 6.47 It is our view that the imposition of a time restriction on mineral development is inappropriate as it could be unduly restrictive for potential investors, particularly where the quantum of mineral resource dictates that more than 15 years would be required for the construction, extraction and restoration phases. The Council should recognise the differential impact that this approach would have on different parts of the minerals sector. In terms of Dalradian’s specific interest, which will require an investment many times greater than, for example, a quarry operation, certainty on a project’s duration is absolutely fundamental to the assessment of its feasibility, the ability to attract investment and the confidence to make the decision to deliver the project subject to all necessary consents.
- 6.48 There is no evidence within the POP, or the supporting information to justify why a 15 year timeframe is required. We note that the POP refers to a 15 year review period where development would only be permitted to continue following updated environmental information. However, we would highlight that when considering an application for mineral development the accompanying environmental information will assess the entire lifetime of the project, from site preparatory works through to site restoration.
- 6.49 In preparing their emerging proposals at Currghinalt, Dalradian have appointed a full environmental consultant team to assess all stages of development which are estimated to last for 27 years from construction through to restoration.
- 6.50 Furthermore the development management process and conditions associated with the grant of permission can ensure that continuous monitoring and assessment of the development can be carried out as necessary.
- 6.51 We would draw attention to a recently approved development within the North York Moors National Park¹⁹, where the extraction of minerals was valid for a period of 103

¹⁹ Planning Application Reference NYM/2014/0676/MEIA – North York Moors National Park Authority, Applicant: York Potash.

years. In granting planning permission for the winning and working of polyhalite by underground methods the local planning authority²⁰ attaches a planning condition stating:

“The permission hereby granted authorises the winning and working of the Polyhalite form of potash material and trace minerals intermingled with the polyhalite only, the construction of the mine and ancillary development at Doves Nest Farm and the construction of the Mineral Transport System and Intermediate Shafts. The winning and working of mineral shall cease after the expiry of a period of 103 years from the date of this permission.” Condition No. 2

- 6.52 In considering the proposals, the local planning authority²¹ in that case determined that a review of the permission would take place every 15 years and if necessary additional restrictions could be put in place via amended or new planning conditions. This would however not jeopardise the ongoing operation of the consented scheme if there was no change in circumstances. The time condition proposed was based on the applicant’s assessment that the project lifetime would be c.100 years and this was considered within the environmental information that supported the application
- 6.53 The introduction of an arbitrary blanket time limit with no evidential base is misconceived and an inappropriate constraint on sustainable minerals development.

Question 9b: Are there any other areas that should be considered as Areas of Constraint on Mineral Development?

- 6.54 See comments relating to Question 9 above which confirm that Dalradian does not agree with the extent of the current proposed ACMD and sees no justification for any extension to other areas.
- 6.55 We would also highlight that this question suggests a prejudice against mineral development as there is no balancing question which is seeking to identify other areas where minerals should be safeguarded. In this regard we welcome the approach set out in the Mid Ulster Preferred Options Paper, November 2016 where the Council is proposing to make direct contact with the industry to inform both ACMDs and mineral reserves.

²⁰ North York Moors National Park Authority

²¹ North York Moors National Park Authority

7. Main Issue 9: Integrated Renewable Energy & Passive Solar Design

Question 11: Do you agree with the Council's preferred option for addressing Integrated Renewable Energy and Passive Solar Design in new Development?

Response: Support

- 7.1 Dalradian agree with the Council's preferred option for encouraging Integrated Renewable Energy and Passive Solar Design in new development on the basis that it will allow all new development to reduce carbon emissions and make a positive contribution to climate change mitigation. Dalradian consider it important however to recognise that not all buildings are suitable for the deployment of certain types of renewable energy technologies and as such there may be valid commercial and technical constraints to the deployment of these technologies which will warrant flexibility with the application of the policy. For example there could be specific conservation or heritage constraints that might restrict the deployment of roof mounted solar technologies or a lack of groundwater that may limit the deployment of ground source technologies.
- 7.2 In addition, Dalradian also firmly believe that the policy should adopt a hierarchical approach in that it should prioritise the use of Passive Solar design and other 'fabric first' efficiency measures as such options are the most sustainable and cost-effective to reduce carbon emissions.
- 7.3 With regards to the future wording of the policy Dalradian believe that there should be flexibility to recognise the different types of buildings the different commercial and technical factors that may apply.

Question 11b: Do you agree with the suggested thresholds of 1 hectare or greater in size or 1000m² or greater? Should they be higher or lower and if so, what would be your reason?

Response: Support

- 7.4 Dalradian broadly support the use of the 1000m² threshold however our comments to question 11a still apply in that there may be some buildings over the 1,000m² threshold that cannot deploy specific technologies for very valid commercial or technical reasons. Dalradian suggest that to ensure this policy is sound, the policy should include wording such as –subject to commercial and technical viability to allow for flexibility with the application of the policy.

8. Main Issue 13: Supporting Good Design and Place Making

Question 16: Do you agree with the Council's preferred option for supporting good design and place-making?

If not, why not and what alternatives would you suggest?

Response – Support

- 8.1 Dalradian is committed to ensuring high quality design in its development at Curraghinalt. As part of the new procedures put in to place in April 2015, Dalradian will be required to submit a Design and Access Statement to support their proposals at Curraghinalt. Under Article 6(3) of the General Development Procedure Order (2015), this statement must explain the design principles and concepts that have been applied to the development and how issues relating to the access of the development have been dealt with.
- 8.2 It will also demonstrate how the proposed development's context has influenced the design, explain the policy or approach adopted and explain the design principles and concepts that have been applied to take into account environmental sustainability.
- 8.3 In preparing proposals for the development at Curraghinalt careful consideration has been given to the siting of buildings and structures with regard to the landscape and visual impact and built heritage.

Question 16b: Do you think that there should be supplementary planning design guidance produced specifically for the Sperrins AONB in conjunction with adjoining 'AONB' Councils?

If not, why not and what alternatives would you suggest?

Response – Oppose

- 8.4 As set out in response to Question 16, Dalradian's proposals will be subject to a requirement to submit a Design and Access Statement which will explain the design proposals.
- 8.5 Owing to their landscape and environmental quality development proposals of any nature within an AONB are subject to more scrutiny than in other areas. Indeed one of the considerations in preparing proposals within an AONB is the impact on the local character of the area. Indeed SPPS requires that:

"Particular weight should be given to the impact of the development on existing buildings, especially listed buildings and scheduled monuments, and on the character of areas recognised for their landscape or townscape value, such as Areas of Outstanding

Natural Beauty, Conservation Areas, Areas of Townscape Character and Areas of Village Character.”

8.6 As such development proposals within such designated areas should already be accompanied by an assessment of what impact the development would have on the asset.

8.7 Furthermore SPPS already requires that:

“Supplementary planning guidance contained within ‘Building on Tradition’: A Sustainable Design Guide for the Northern Ireland Countryside’ must be taken into account in assessing all development proposals in the countryside. (Paragraph 6.78)”

8.8 On this basis further design guidance is not required.

9. Sustainability Appraisal – Interim Report

Do you have any comments on the content or findings of the Sustainability Appraisal Interim Report?

- 9.1 This section set outs Dalradian’s comments on the Sustainability Appraisal Interim Report (SA). The comments provided are based on a review of the SA documents that have been produced in support of the POP.
- 9.2 The documents that have been reviewed are;
- Fermanagh and Omagh District Council Local Development Plan, Sustainability Appraisal Scoping Report, October 2016
 - Fermanagh and Omagh District Council Local Development Plan. Interim Sustainability Appraisal Report incorporating Strategic Environmental Assessment. September, 2016.
- 9.3 For Northern Ireland the relevant guidance with respect to Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) is;
- Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (the EAPP Regulations); and
 - Development Plan Practice Note. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015.
- 9.4 Given the complexity of the SA process and the experience of its application in England, Scotland and Wales, it is also useful to refer to the following guidance where necessary;
- A Practical Guide to SEA. Department of Communities and Local Government, September 2005
 - National Planning Practice Guidance. Strategic environmental assessment and Sustainability appraisal. (<http://planningguidance.communities.gov.uk/>).
- 9.5 Dalradian are fully supportive of the principles of sustainable development and are committed to their current and future extraction activities having a positive economic, social and environmental benefit on the local community and economy.
- 9.6 It is recognised by national policy that sustainable minerals extraction can be a key function of sustainable economic growth. Indeed paragraph 6.149 of the Strategic Planning Policy Statement (SPSS) states that;

“The Sustainable Development Strategy recognises that while it is important that we respect the limits of our natural resources and ensure a high level of protection and improvement of the quality of our environment, ‘sustainable development’ does not prevent us from using and capitalising on such resources. An enduring successful

economy will effectively use natural resources and contribute towards the protection of the environment.”

9.7 Paragraph 3.1 of the SA/SEA DP Practice note states that;

“The purpose of the SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of plans and programmes such as local development plans.”

9.8 Given the commitment of Dalradian to sustainable minerals extraction and the function of the SEA/ SA process in relation to the emerging F&O Local Plan, Dalradian are keen to make a positive commitment to the process.

9.9 A review of the SA documents listed above against the EAPP Regulations and the Development Plan (DP) Practice note has been undertaken to identify where there are;

- Areas of procedural or technical non-compliance with the EAPP Regulations; and/or
- Areas of procedural or technical non-compliance with the guidance within the DP SA/ SEA (hereafter referred to as the DP Practice Note 4) Practice note.

9.10 Dalradian have also made representations based on their current and proposed future extraction activities to ensure that the SA process fully captures the potential benefits from a nationally significant mineral resource.

FODC SA Scoping Report. October, 2016

9.11 The production of a Scoping Report is best practice and a critical first step in the SA process as set out in section 7 of the DP Practice Note 4. We consider the following key tasks of the scoping report particularly relevant to these representations;

- Establish the baseline of the geographical area of the plan as required by Schedule 2 (2) and (3) of the EAPP regulations and Paragraph 7.3b of the DP Practice Note 4. The DP Practice Note 4 makes the following statements with regards to the evidence base of a SA scoping report;
 - A robust understanding of the baseline position is important in ensuring a sound evidence base for the plan²²
 - Paragraph 7.3 b (ix) also sets out the functions of the baseline information to the council which includes the requirement to identify particularly sensitive or important elements of the social, economic and physical environment which are likely to be affected by the draft plan.
- Present the framework of sustainability objectives for consultation which is then used to assess the social, environmental and economic effects of the plan in later iterations of SA reports.

²² Development Plan Practice Note 4. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015. Page 11, Paragraph 7.3 b ii

- Seek, consider and integrate representations from statutory and non-statutory consultees before embarking on the development of the POP.

9.12 The Scoping report is therefore a fundamental part of the SA process as its content and outputs defines the entire nature of the SA process and therefore the evolution of the local plan and its policies.

Failure of the SA Scoping Report to comply with the EAPP Regulations and the DP SA Practice note.

9.13 Following our review Dalradian have significant concerns with regards to the process and content of the SA/ SEA Scoping report which are;

- The publication of the SA Scoping report alongside the POP and supporting SA documents which removes the ability for stakeholders to comment on the scoping report prior to the publication and assessment of the POP paper and therefore positively influence the evolution of the local plan.
- The content of the scoping report and specifically the baseline information which does not portray an accurate socio-economic and environmental profile of the plan area which, in turn, unduly influences the scoping report conclusions and assessment of the POP.

The publication of the SA Scoping report for consultation at the same time as the POP and associated Interim SA report.

9.14 Paragraph 6.2 and Figure 1²³ of DP Practice Note 4 sets out the key stages of the LDP process and how the SA/ SEA process should interact with it. Paragraph 6.2 states that

“Whilst there are clear linkages at various stages of both processes, it is important to note that the preparation of the LDP and SA should be an iterative process whereby findings at each stage should be taken into account to inform subsequent stages of the plan.”

9.15 Figure 1 of the guidance clearly links the SA Scoping report with the production of POP but states that Stage A(1) SA Scoping Report should be prepared, issued for consultation and (subject to consultee comments) amended before the assessment of alternatives within the POP.

9.16 Paragraph 1.2 and 7.3 of the scoping report indicates that the report was still to be sent to the Northern Ireland Environment Agency (NIEA) for comment which indicates that any comments will be received after assessment of the POP and therefore will be unable to positively influence the SA process.

9.17 The need to receive and assess consultee comments on the SA Scoping report prior to the assessment of alternatives within the POP is a fundamental requirement of the guidance and process for the following three reasons;

²³ Development Plan Practice Note 4. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015. Page 7, Paragraph 6.2 and Figure 7.1

- 1) One of the first and most important requirements of the scoping report is to establish the environmental and socio-economic baseline of the area in question. This is a requirement of the guidance and EAPP regulations. The SA/ SEA guidance document states that;

“The baseline information should enable a council to determine the current state of the social, economic and physical environment²⁴”

- 2) The baseline data is then used to identify any key sustainability issues and help inform the SA Framework which is used to appraise and influence the development of the reasonable alternatives. If there are gaps or errors in the baseline information then this will impact the outcomes of the plan and its preferred policies.
- 3) The need to ensure the correct sustainability issues are identified which the plans policies should then attempt to mitigate or enhance.

The structure of the SA framework can also heavily influence the policies and the plan making process and therefore comments on the SA framework should be received and incorporated on the framework prior to assessment of the reasonable alternatives.

- 9.18 It is also considered best practice to allow wider stakeholders such as members of the public within the plan area the opportunity to comment on the SA Scoping report.

- 9.19 Paragraph 3.5 of the 2005 SEA Guidance²⁵ states the following;

“The Directive refers only to consultation with the Consultation Bodies and with the public. Responsible Authorities will however normally consult a range of other bodies in the course of preparing their plans and programmes (e.g. Local Authorities, Regional Development Agencies and Primary Care Trusts) and information from these may be useful in SEA.”

- 9.20 As part of responsible plan making Dalradian firmly believe that the SA Scoping report should have been submitted for consultation prior to the publication of the POP and its supporting SA report.

The content of the SA Scoping Report

- 9.21 As stated above, the content of the SA Scoping report has a fundamental impact upon the POP, its SA and the emerging local plan.
- 9.22 We set out below our concerns with regards to the information within the Scoping report along with supporting evidence to demonstrate support our representations.

Baseline information.

- 9.23 We believe that the SA scoping report has the following deficiencies with regards to the collection and presentation of baseline data. These are;

²⁴ Development Plan Practice Note 4. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015. Page 13

²⁵ A Practical Guide to the Strategic Environmental Assessment Directive. Office of the Deputy Prime Minister, 2005.

- *Economy and Employment Baseline.* It is acknowledged within the Material Assets section the contribution that minerals make to the plan area in terms of financial assets with a reference to the increased exploration of Gold. Given the national and international significance of these assets at Curraghinalt, there is the potential for a major, permanent, long-term boost to the local and national economy through the responsible extraction of mineral assets. The baseline data should acknowledge this potential contribution and indeed highlight the current contribution to the local economy from this sector.
- To illustrate the significance of the extraction industry to F&O and the national economy Dalradian would like to highlight the following facts some of which are taken from the councils own evidence base document for minerals extraction²⁶;
 - Within F&O there are approximately 700 people currently employed within the extraction industry. The operation of the Dalradian Gold mine will add another 350 permanent jobs to in this vital sector which would make a significant contribution to the GVA per annum.
 - From 2009 Dalradian have invested approximately £16 million into the local economy and a further £27million in to the Northern Ireland economy. Further significant investment will follow through the construction of the gold mine
 - The gold resource is estimated to be worth circa £3.5 billion²⁷ and this will make a local and nationally significant contribution to the economy of Northern Ireland.

9.24 Of particular concern to Dalradian is the failure of the scoping report to summarise the substantial economic benefits of the minerals and extraction industry within the Economy and Employment baseline section. Given the clear requirement of the scoping report to establish the economic characteristic of the plan area, this omission does not allow future iterations of the plan to maximise the benefits to the local economy and community through policy options.

Material Assets Baseline.

9.25 Given the scale of the Gold deposits at Curraghinalt this should receive greater recognition within this section of the SA as it represents a strategically significant mineral asset for F&O which can make a major contribution to the *sustainable growth of the economy*. Page 36 of Appendix 3 of the SA Scoping report states that *minerals extraction is an essential for sustainable development in our economy*.

9.26 In addition it would appear that key information from the Council's evidence base that underpins the importance of the Gold extraction industry to the national and local economy has not been replicated within this baseline section of the SA.

9.27 FODC's own evidence base²⁸ states that;

²⁶ Fermanagh and Omagh District Council. Position Paper 9. Minerals

²⁷ Fermanagh and Omagh District Council. Position Paper 9. Minerals. Section 4 and Paragraph 5.12

²⁸ Fermanagh and Omagh District Council. Position Paper 9. Minerals. Section 4 and Paragraph 5.12

- The Curraghinalt Gold mine has the potential to create circa 300 jobs during the construction phase and 350 jobs during operation.
- An estimated Gold resource of approximately £3.5 billion

9.28 In summary the baseline data does not accurately reflect the scale of mineral assets available nor the potential benefit the minerals industry has upon the existing local economy and its future contribution to sustainable development. Of particular concern is that the scoping report does not reflect the councils own evidence base documents specifically developed to support the emerging local plan.

9.29 On this basis the baseline data section of the SA scoping report fails to meet the following requirements of the DP Practice note 4²⁹ which are;

- To determine the current state of the social, economic and physical environment
- identify particularly sensitive or important elements of the social, economic and physical environment which are likely to be affected

Section 5 of the SA Report Sustainability Issues.

9.30 We believe that there are deficiencies with the identification of key sustainability issues within the SA scoping report. Should the baseline data have been accurate as per our representations above, then the following key issues should have been identified;

- Economy and Employment. The contribution to a sustainable local and national economy that could result from the responsible extraction of the extensive gold reserves at Curraghinalt should be recognised in this section of the SA.
- Material Assets. There is no mention of the substantial Gold reserves at Curraghinalt and the national policy support for its responsible extraction.

Section 6 of the SA Report. Developing the SA Framework.

9.31 The SA Framework is a critical output of the SA scoping report as it forms the basis from which the economic, social and environmental performance of the proposed policies within the Local Plan are assessed. The SA Framework is specifically developed to address the key sustainability issues identified in Section 5 of the SA report. Our comments on the SA framework are as follows;

- Objective 16 should be amended from - To minimise the production of waste and use of non-renewable materials to - To minimise the production of waste and adopt a sustainable approach to the use of non-renewable materials.
- An SA objective should be inserted to specifically address the key sustainability issue of the substantial gold and mineral reserves within Fermanagh and Omagh and ensure that it is extracted in a sustainable manner. We therefore would like to propose a new SA objective of *To utilise the substantial mineral assets of the district in a sustainable manner*

²⁹ Development Plan Practice Note 4. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015. Page 13. Paragraph 7b (ix)

Summary of representations to the SA Scoping Report

- 9.32 In summary, Dalradian have significant concerns with regards to the process and content of the SA Scoping report which can be summarised as;
- 1) Publication of the SA Scoping report at the same time as the POP SA report is not in accordance with the DP Practice Note 4³⁰ or recognised best practice.
 - 2) The baseline information within the scoping report fails to recognise the nationally significant gold reserves at Curraghinalt and the substantial benefits this could have on the local economy if these resources are extracted in a sustainable manner despite such benefits being clearly identified by the councils own evidence base.
 - 3) The baseline information does not recognise the economic importance of the minerals extraction area to the local and wider economy
 - 4) The scoping report does not recognise the key sustainability issues associated with the gold reserves and the substantial opportunities available to the local economy and community through sustainable extraction.
 - 5) The SA framework does not facilitate the accurate assessment of emerging policies to encourage sustainable extraction of the mineral assets but, as structured, seeks to restrict extraction where possible.

The Sustainability Appraisal of the Preferred Options Paper.

- 9.33 In September 2016, F&O Council published the Local Plan Preferred Options Paper (POP) and its supporting Interim Sustainability Appraisal (SA).
- 9.34 The function of the SA is to appraise the sustainability effects of the different policy options (the reasonable alternatives) and assist with the selection of the most sustainable policy option.
- 9.35 Section 8 of the POP presents the policy options (*reasonable alternatives*) with regards to Minerals Development which are then assessed within the SA³¹ to help guide the selection of the preferred policy.

Compliance of the POP Interim SA with the EAPP regulations and the DP SA/ SEA Guidance Document.

- 9.36 A review of the Interim SA against the EAPP regulations and DP Practice Note 4 has identified the following areas of concern associated;
- 1) Consultation and Transboundary consultation; and
 - 2) The development and assessment of the reasonable alternatives to deliver the policy options

³⁰ Development Plan Practice Note 4. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015. Page 7, Paragraph 6.2 and Figure 1.

³¹ Fermanagh and Omagh Local Development Plan. Preferred Options Paper. Interim Sustainability Appraisal. Pages 85-89.

Consultation and Transboundary consultations

- 9.37 There is a requirement within Regulation 13 of the EAPP Regulations for a responsible authority to consult with another Member State where the plan or programme of the responsible authority is likely to have significant environmental impact on that Member State.
- 9.38 The DP Practice Note clarifies this further by encouraging councils to consult at the scoping stage with neighbouring councils or national consultation bodies at in order to inform the assessment of future iterations of the plan and the SA process.
- 9.39 On this basis Dalradian raise the following concerns regarding consultation and transboundary consultation;
- The inability to comment on the baseline information and SA framework within the scoping report as set out in our earlier representations which removes our ability (and that of other consultees) to positively influence the POP.
 - No confirmation that neighbouring councils such as Mid Ulster have been consulted on the SA Scoping Report, POP and the Interim SA given the fact that there may to be transboundary effects resulting from the F&O Local Plan.

The development and Assessment of reasonable alternatives

- 9.40 Regulation 11 of EAPP Regulations sets out the requirements for an environmental report. One of the key requirements is that the report shall *identify, describe and evaluate the likely significant effects on the environment of implementing the plan and reasonable alternatives* (different policy options) *taking into account the objectives and geographical scope of the plan.*
- 9.41 With regards to the *reasonable alternatives* presented in the POP to address minerals development these are:
- Option 1. To continue with the approach contained in Policies MIN 1 to MIN 8 but additionally update the policy detail for environmental protection, safety and amenity, traffic and restoration, adhering to the principles of sustainable development.
 - Option 2. As for Option One, but additionally introduce a time limit for prospecting/exploratory works and to protect the Sperrin AONB, the UNESCO Marble Arch Caves Global Geopark, Areas of Nature Conservation, Areas of Archaeological Interest and Areas of High Scenic Valued from Minerals Development except where proposed operations are short term (less than 15 years) and where the environmental/amenity impacts are not significant (Areas of Constraint on Mineral Development).
 - Option 3. As for Option Two, but additionally identify areas for minerals safeguarding within the Plan area.
- 9.42 The preferred option is presented as Option 3 which is the same as Option 2 but with the additional input of safeguarded land for minerals extraction. The SA report confirms that these areas of safeguarded land are not identified however but will be identified

later in the plan making process³². Whilst Dalradian opposes the preferred option they are broadly supportive of the introduction of safeguarded areas. However, until the areas proposed are identified there is no means of identifying the potential sustainability of the safeguarded land (such as ecology). The assessment of this different reasonable alternative cannot therefore be undertaken.

9.43 Paragraph 8.2 of the DP Practice Note 4 states that;

“Reasonable alternatives are the different realistic options available to a council for delivering the objectives of its local development plan”

9.44 The National Planning Practice Guidance is useful in that it gives further definition of a reasonable alternative which is;

“Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable.”

9.45 It is therefore clear that Option 3 without the areas of safeguarded land identified it is no different from Option 2 and its sustainability impacts cannot be identified. It is therefore not a reasonable alternative to deliver minerals policy within F&O.

9.46 Given that the function of the SA is to *identify, describe and evaluate the likely significant effects on the environment of implementing the plan and reasonable alternatives* (different policy options), such an assessment cannot be undertaken accurately or subjectively without identifying the broad locations of the safeguarded land.

9.47 The representations above state the commercial implications of the 15 year time limit on minerals extraction and the need to remove this in order to ensure the Curraghinalt Gold mine is viable.

9.48 To remedy this deficiency, we believe that FODC should identify the areas of safeguarded land prior to assessment followed by subsequent consultation of their sustainability impacts through a revised interim SA of the POP.

A review of the sustainability assessment of the mineral policy options

9.49 We have reviewed the sustainability assessment of the three mineral policy options and would comment as follows on the objectives relevant to the proposed extraction at Curraghinalt;

- Assessment of Objective 1: *To reduce poverty and social exclusion*. – Dalradian agrees with the SA which states that mineral; extraction forms a significant contribution to the local economy by creating employment but disagrees that this results has a negligible impact on reducing poverty and social exclusion. There is a well proven, direct correlation between employment, poverty reduction and social inclusion. With regards to the results of the assessment. Option 2 and 3

³² Fermanagh and Omagh Local Development Plan. Preferred Options Paper. Paragraph 8.15.

should therefore be regarded as having a *positive* impact on this SA objective although this positive effect would be significantly enhanced if the time restriction upon minerals extraction and the extent of the ACMD were removed.

- *Assessment of Objective 2: To improve health and wellbeing of the population.* Dalradian agrees with the SA which states that any negative impacts of minerals extraction on health and wellbeing can be mitigated through the planning process. We believe the SA has failed to consider the significant impacts on the health and wellbeing of the local population through economic benefits such as employment and wealth. There is a direct and positive correlation between economic growth and health and wellbeing. Dalradian therefore believe that the SA Assessment should record a positive benefit from Policy Option 2 and 3 although this benefit would be increased significantly if the time restriction for minerals extraction was removed.
- *Assessment of Objective 3: To improve education and skills of the population.* Dalradian agree that the Mineral extraction industry will have a positive benefit to the local economy through the provision of greater skills and training in a highly specialist industry. Dalradian are committed however to a programme of maximising the benefits to local workers and believe that the benefits are greater than communicated in the SA.
- *Assessment of Objectives 4, 5 and 6.* Dalradian agree with the conclusions in the SA that there will be a positive impact on SA Objective 5 (reducing crime and anti-social behaviour) and SA Objective 6 (encouraging a sense of community; identify and welfare) from the minerals extraction industry. Dalradian believe there will be a positive effect with regards to SA Objective 4 (the provision of a decent home) given the substantial economic benefits of minerals extraction will facilitate home ownership and maintenance.
- *Assessment of Objective 7.* To improve accessibility to key services, especially for those most in need. Dalradian disagree with the SA assessment and believe Option 2 and 3 should be a positive effect as the increased spending and wealth in the local economy will generate the need for additional services (such as shops and other necessary facilities) for local residents.
- *Assessment of SA Objectives 8, 9, 10 and 11.* Dalradian agree that there will be a neutral impact upon air quality; flood risk, water and air quality from the minerals extraction industry.
- *Assessment of SA objectives 12, 13, and 14.* Dalradian consider it impossible to accurately understand the sustainability impacts of Option 3 for each of these SA objectives without identifying the broad locations of the proposed safeguarded land. We reiterate our concern therefore that the assessment of *the reasonable alternatives* within the POP Interim SA has not been undertaken in accordance with the EAPP Regulations.
- *Assessment of SA objective 15.* Dalradian broadly agree with the SA in that the minerals extraction industry will have a negligible impact upon climate change.

- Assessment of SA Objective 16: *To minimise the production of waste and use of non-renewable resources.* Dalradian strongly disagree with the conclusions of the SA assessment which conclude a strong negative impact on from minerals extraction on this SA Objective. With regards to Gold extraction, it is acknowledged that Gold is in itself a non-renewable resource and, once mined, it enters the circular economy and is not lost but recycled and is therefore different to mineral reserves such as hydrocarbons that are consumed post extraction.
- Assessment of SA Objective 18: *To encourage sustainable economic growth.* Dalradian broadly agree with the assessment which concludes that Mineral extraction is an integral part of economic growth but believe that the economic benefits would be far greater if the time restriction was removed in order to facilitate a prolonged investment in the local economy through a profitable Gold mine.
- Assessment of SA Objective 19: *To offer everybody access to high quality jobs, reducing disparities between surrounding areas.* Dalradian disagree with the results of this assessment as the proposed Gold mine will generate a large number of well paid, permanent and highly skilled technical, scientific and engineering jobs which will make a significant positive impact to this SA objective.
- Assessment of SA objective 20. *To promote sustainable regeneration.* Dalradian disagree with the results of the assessment and believe that the Gold mine will make a positive contribution to sustainable economic regeneration through the provision of substantial local and national economic and social benefits with mitigation of environmental impacts. Policy 2 (without a time limitation) and 3 should therefore be amended to a positive impact.
- Assessment of SA objective 21: *To encourage and accommodate both indigenous and inward investment.* Dalradian strongly disagree with the results of this assessment which concludes that *there is evidence of ongoing investment by international companies in the area.* Since 2009 Dalradian have invested approximately £16 million into the local economy and £27million in to the Northern Ireland economy. This substantial existing investment will be increased exponentially should planning permission be granted to begin minerals extraction. This investment can only occur however if the time limitation on the extraction is removed to allow the full economic benefits to be recovered.

Summary of our representations to the POP Interim SA

- 9.50 Notwithstanding our fundamental concern regarding the implications of the 15 year time restriction on the viability of the Curraghinalt gold mine and the proposed ACMD our review of the POP and its Interim SA can be summarised below.
- 9.51 Dalradian believe that the Interim SA has failed to meet the legal requirements of the EAPP regulations and specifically Regulation (11) and the *assessment of reasonable alternatives*. Dalradian believe that this deficiency can only be rectified through the following actions;
- The identification of the safeguarded land for minerals development

- The reappraisal of the *reasonable alternatives* (Policy Options 1, 2 and 3) with the areas of safeguarded land clearly identified
- Re-consultation of a revised POP and associated Interim SA.

9.52 In addition Dalradian disagree with many of the conclusions of the assessment of the reasonable alternatives for the development of policies for mineral extraction. Fundamentally, Dalradian believe that the SA process to date has failed to recognise the significant existing socio-economic benefits provided by the exploration of the gold reserves at Curraghinalt. Furthermore, the substantial additional long-term socio-economic benefits arising from the construction and operation of the Gold mine will result in an increased positive contribution for objectives 1, 2, 7, 18, 19, 20 and 21 and therefore a greater contribution to sustainable development within Fermanagh and Omagh.

9.53 Dalradian acknowledge that the minerals extraction industry can result in negative environmental impact but agree with the SA which recognises that these impacts can be identified and mitigated through the planning process and that (as per national planning policy) the sustainable extraction of minerals is a vital part of the national and local economy.

10. Compliance

- 10.1 In preparing their Preferred Options Paper, FODC are required to adhere to the provisions of Part 3 of the Regulations. This report sets out Dalradian's concerns in respect of compliance of the POP with the Regulations and generally.

Preparation of the preferred options paper

- 10.2 Regulation 9 sets out what is required by the Council when preparing their POP as follows:

- “(1) Before a council complies with regulation 11, it must, for the purpose of generating alternative strategies and options, engage the consultation bodies.*
- (2) In preparing the preferred options paper the council must take into account any representation received from the consultation bodies.”*

- 10.3 The POP fails to set out the level of engagement that has taken place with the consultation bodies to date. This needs to be addressed to demonstrate whether the legislative requirements for the test of soundness have been met. We are also most concerned by the lack of evidence provided by the Council to demonstrate that they complied with the 2015 Practice Note and consulted with the Northern Ireland Environment Agency in respect of the draft Scoping Report. If this has not taken place it fundamentally undermines the work undertaken to date in relation to POP. In addition, we are concerned by the absence of any evidence of consultation with the Department for Economy and in particular Geological Survey of Northern Ireland. Critical evidence required for a sound plan to come forward is not yet available.

Public consultation

- 10.4 Although Regulation 11(3) of the Regulations provides that the consultation period for the POP must be not less than 8 weeks or more than 12 weeks, we are concerned that FODC has opted to go for the minimum requirement. This is particularly in the context that not only is FODC consulting on its POP, but it is consulting in parallel on the draft Community Plan. An extended period would have been preferable to allow for proper and robust consultation.

Appendix 1: Land Use Consultants Review of Landscape Assessment

Fermanagh and Omagh Local Development Plan: Review of Landscape Evidence

Prepared by LUC for Dalradian Gold Ltd.

November 2016

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Version	Date	Version Details	Prepared by	Checked by	Approved by
1	18 November 2016	Review	PDM	DW	SCO

Introduction

- 1.1 Fermanagh and Omagh District Council (FODC) recently published a Preferred Options Paper for public consultation, identifying how key issues will be addressed in the forthcoming Local Development Plan. The Preferred Options Paper is supported by an evidence base summarised in a range of „position papers“.
- 1.2 LUC was commissioned by Dalradian Gold Ltd. (DGL) to undertake a review of the Preferred Options Paper and the relevant position papers, and to provide commentary on how landscape planning issues have been addressed by FODC.. In particular, the review assesses the approach to „landscape capacity“ taken by FODC.
- 1.3 Alongside the Preferred Options Paper, the following position papers have been reviewed:
 - Environmental Assets (Position Paper 5);
 - Landscape Character Assessment (Position Paper 14); and
 - Development Pressure Analysis (Position Paper 15).
- 1.4 The focus of this review is on the evaluation of landscape capacity presented in Position Paper 14, but it is clear from reading this document that it should be considered alongside the papers on development pressure and environmental assets. These, together with a paper on settlement evaluation, form strands of the Countryside Assessment, as defined in PPS1 (paragraph 41). SPPS (paragraph 6.76) also confirms that The LDP process should include appraisals of environmental assets and landscape, drawing on landscape character assessments, to inform the policy approach towards development in the countryside.
- 1.5 Since preparation of these papers by FODC, a new Northern Ireland Regional Landscape Character Assessment (NIRLCA) has been published. This document is referred to in draft form within the FODC papers, but the analysis undertaken by FODC was based on the earlier Northern Ireland Landscape Character Assessment (NILCA) published in 2000. The NIRLCA was undertaken at a broader scale than the earlier NILCA, and is intended to form the framework for future landscape character assessments. It does not include any assessment of sensitivity or capacity, so its publication does not supersede work based on the earlier NILCA. The final NIRLCA does not differ materially from the draft version referred to by FODC.

Preferred Options Paper (POP)

- 1.6 Paragraph 6.6 of the POP refers to landscape capacity in discussing development in the countryside (issue 4).
The context of this discussion is the sustainability of rural communities, with a focus on housing and agricultural development, including consideration of single houses. The preferred option in relation to this issue is to designate three area-based policies:
 - Special Countryside Areas (SCA), providing stricter policy control in sensitive landscapes;
 - Rural Protection Areas (RPA), allowing more opportunities for sustainable development, but excluding sensitive landscapes such as the Sperrin Area of Outstanding Natural Beauty (AONB); and
 - Remaining Countryside Area, covering all other areas.
- 1.7 In the justification for this option, no criteria are provided on how landscapes would be *“identified as being of particular merit”*, or under what criteria they would be *“recommended to be designated as Special Countryside Areas”*.
- 1.8 Map 6 identifies landscape capacity across the District. The landscape character areas relevant to the Curraghinalt project are shown as having “low” capacity to absorb development. The POP fails to set out how this mapping would relate to the preferred option, nor whether the assessment of capacity is intended to influence the identification of SCAs.
- 1.9 Under minerals development (Main Issue 7), no reference is made to landscape capacity as a constraint on extraction activities. Capacity is briefly discussed in relation to renewable energy (issue 8).

Conclusion

- 1.10 Our reading of the Preferred Options Paper indicates that an assessment of landscape capacity has been undertaken, but that this is primarily focused on development of housing in the countryside and has no application beyond that, and in particular in respect of mineral extraction operations. To be applicable to minerals, the capacity assessment would have to be focused on this type of development from the outset, as has been done for Councils elsewhere in the UK.³³ Further detail is provided in the following review of position papers.

Position Paper 5

- 1.11 This paper seeks to present the existing environmental assets within the District, and identifies protection mechanisms at European, regional and local levels. The section on landscape character refers to the purposes of the Sperrin AONB, though the stated purpose in this paragraph 3.6 is inconsistent with that stated earlier, in paragraph 2.8. The latter states that AONBs are designated "*primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage*", while the former states they are "*to protect and conserve the scenic qualities of the area and promote their enjoyment*".
- 1.12 At paragraph 3.9 it is stated in passing that the Northern Ireland Landscape Character Assessment (NILCA) "*will, in conjunction with the pressure analysis, help to identify areas of landscape that are particularly vulnerable to any development, with a view to designating them as Special Countryside Areas.*" The paper goes on to state that SCAs are "*regarded as exceptional landscapes such as mountains, stretches of the coast or lough shores and certain views or vistas.*" It is noted that "*it may be necessary to identify additional areas and designate them as SCAs*" (paragraph 3.11).
- 1.13 There is no detailed discussion at this stage of what criteria will be used to identify SCAs, or how „exceptional“ landscapes will be identified. We would highlight the difficulty of attempting to define an area for protection based on a view or vista.

Conclusion

- 1.14 This paper sets out the existing landscape-related designations within the District, but fails to provide detail on how, or upon what evidence, new designations will be identified or promoted.

Position Paper 14

- 1.15 This paper, entitled Landscape Character Assessment, purports to present "*an assessment of the scenic quality, sensitivity to change and the overall capacity of each Landscape Character Area to absorb development*" (page 1). It opens with some general observations on the landscapes of the District, and references to regional planning policy.
- 1.16 Section 3 summarises the available landscape evidence base, including the NILCA 2000, and the draft NIRLCA that was then available. It also refers to the supplementary planning guidance (SPG) on *Wind Energy Development in Northern Ireland's Landscapes* (NIEA, 2010) (the 2010 SPG). Paragraph 3.4 states that "*Although this guidance is specifically concerned with wind energy development it is considered a useful source for identifying those landscapes within Fermanagh and Omagh District Council area that are vulnerable to change.*"
- 1.17 The 2010 SPG is, in fact, very specific in scope, and is not at all applicable to other types of development, nor to a generic evaluation of „vulnerability to change“. It clearly sets out its scope and purpose, including the following statements all found on page 9 of the 2010 SPG:
- "*This guidance shares the aim of PPS18 to facilitate the siting of renewable energy generating facilities in appropriate locations*";
 - "*The guidance is intended for use when considering all types and scales of wind energy development*";

³³ For example, the West Sussex Landscape Sensitivity and Capacity Study for Potential Mineral and Waste Sites, available from https://www.westsussex.gov.uk/media/4129/landscape_final_report.pdf

- “Utilization of the guidance will assist developers in identifying the locations most suited for wind energy development in landscape and visual terms”; and
- “It is important to note that this supplementary planning guidance is intended to provide broad, strategic guidance in relation to the landscape and visual impacts of wind energy development”.

- 1.18 Nowhere in the 2010 SPG is it suggested that the findings in relation to wind energy development can be useful in assessing sensitivity to other development types, or in making generic evaluations of sensitivity or capacity, nor that such use is appropriate.
- 1.19 Sections 4 and 5 of Position Paper 14 note the various landscape-related designations within the District, including a brief description of the Sperrin AONB. The lack of a management plan or active management group for this AONB is not mentioned.
- 1.20 The Position Paper then presents “*key findings*” in Section 6. It is stated that landscape character areas (LCAs) were “*reviewed and analysed to enable the sensitivity of each LCA and its ability to absorb further development to be ranked as high, medium and low.*” The type of development being considered is not identified. Strategic assessments of landscape sensitivity and capacity like this should be clear about their scope, purpose and limitations.
- 1.21 Some paragraphs follow which set out the approach taken. However, what is clearly missing is a formal and transparent methodology, which should be a key component of any strategic landscape assessment. There is no reference to the available good practice guidance on the topics of landscape assessment, landscape sensitivity and capacity, nor to the large body of established practice in this field. As a minimum, reference to the Third Edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) (Landscape Institute and Institute of Environmental Management and Assessment, 2013), Landscape Character Assessment Topic Paper 6 (Countryside Agency and SNH, 2006), and the Guide to Commissioning a Landscape Capacity Study (SNH, 2011) is essential.
- 1.22 At paragraph 6.2, it is stated that the basis for the work is “*an analysis of the descriptions in the NILCA 2000 and SPG for Wind Energy Development*”. As such it appears that the analysis is purely desk-based. It is generally accepted that field survey is an essential element of any strategic landscape study, and without this element the findings of this paper are indicative at best.
- 1.23 Paragraph 6.2 also describes a process of scoring landscape characteristics in relation to each LCA. It is not clear from the text how this was done, nor how it relates to the capacity evaluation presented in Appendix 4.
- 1.24 In our view, paragraph 6.3 illustrates how the evaluation has been undertaken without any detailed understanding of landscape assessment principles. It describes how the assessment of sensitivity has been “*inferred*” based on “*clues*” within the NILCA. Such “*clues*” do not constitute evidence for a reliable assessment of landscape sensitivity.
- 1.25 Finally, paragraph 6.4 suddenly arrives at a suite of conclusions purported to be based on this very high level review and interpretation of existing material. These conclusions are:
- Overall capacity of each area to absorb “*further development*” – again it is not stated what type of development;
 - Identification of areas of “*special landscape quality*” – though there are no criteria or thresholds for what constitutes “*special*” quality; and
 - Identification of areas where development pressure does not threaten rural character – though this can presumably only be derived from the development pressure analysis, which has not yet been referenced.
- 1.26 There follow three lists of LCAs, which are grouped into those which are “*vulnerable to change*”, those with “*medium sensitivity to change*”, and those with a “*low sensitivity to change*”. The distinction between vulnerability and sensitivity is not established.
- 1.27 The group of “*vulnerable*” LCAs (paragraph 6.5) mainly comprises those deemed to have high sensitivity, though some are stated to have medium sensitivity (e.g. LCA 13, LCA 17). Most are considered to have low or low-medium capacity, but LCA 13 is stated to have medium to high capacity. There are no clues in the text as to why this conclusion has been reached.

- 1.28 Similarly, there are inconsistencies in the medium sensitivity group (paragraph 6.7, e.g. LCA 12 “has a low sensitivity”) and in the low sensitivity group (paragraph 6.8, e.g. sensitivity of LCA 10 is “within the medium range”). A closer reading against Appendix 4 shows further inconsistencies: for example LCA 16 is medium sensitivity in the text, and high sensitivity in the Appendix.
- 1.29 Appendix 4 to the position paper presents the “workings” of the assessment, in the form of a table of LCAs against which the following information is recorded:
- “Scenic quality” – this is ranked as high-medium-low, and very brief supporting text is provided. This supporting text does not relate to any set criteria, and includes such vague assertions as “many important landscape values” (LCA 25) without any clarification of what these are. There are basic descriptions of key features, references to the AONB and other scenic designations, and occasional observations on condition;
 - “Sensitivity to Change – ERM Report” – this is also ranked as high-medium-low with some supporting text. Again no defined criteria are provided. The text includes references to key features that may be indicative of sensitivity, though their importance is unclear. It appears that habitat designations have been taken in to account in this sensitivity assessment;
 - “Principles for Accommodating New Development – ERM Report” – this column lifts direct quotes from the NILCA. While these principles are pertinent in terms of guiding certain development types to appropriate locations within each LCA, they only deal with ‘headline issues’. The principles do not add up to a consistent assessment of landscape capacity, which should be firmly grounded in relevant criteria that can be applied in a robust and transparent way, as set out in the guidance documents referenced above (paragraph 1.21) ; and
 - “Overall capacity of landscape to absorb development – planning comments” – this final column gives a high-medium-low ranking, without further comment. It is entirely unclear how these rankings have been derived.
- 1.30 Section 7 presents some recommendations. Paragraph 7.2 highlights some areas that are considered “particularly sensitive to change due to the quality of their landscape features”, with a “low capacity to absorb new development”. A number of specific areas are listed, including “the higher summits of the Sperrins AONB”, but these are not identified in terms of LCAs, and it is not clear how these “particularly sensitive” areas are the product of the preceding evaluation.
- 1.31 Paragraph 7.3 presents four areas where “policy options for greater policy control should be explored.” Additional controls are recommended for the High Sperrins, “in relation to high structures such as wind turbines and telecommunication masts”. Again, it is not clear how such specific conclusions are informed by the preceding evaluation.

Conclusion

- 1.32 In summary, the evaluation of sensitivity and capacity presented in Position Paper 14 is not grounded in established good practice. It is based on a digest of previously published material, which has been analysed in an inconsistent way without reference to robust criteria. It is not stated what type(s) of development are being considered, and without a field-based element to the analysis, the value of the study as evidence is questionable. There are errors and inconsistencies in the reporting, and an overall lack of clarity on how the conclusions are drawn. Above all, there is no formal and transparent methodology that would allow the reader to understand how the final evaluation of capacity has been derived.
- 1.33 This study does not, in our view, provide a suitable evidence base for the introduction of policy controls in specific areas.

Position Paper 15

- 1.34 This paper presents a development pressure analysis, which is focused on two development types: single dwellings in the countryside; and wind energy developments. Spatial data relating to applications for these two types of development has been analysed and the resulting patterns are mapped, revealing locations of development pressure. A particular area of pressure for single

dwelling is identified along the Crockanboy Road between Gortin and Greencastle, within the Sperrins which otherwise experience low pressure for this development type.

- 1.35 Section 6 relates these areas of pressure to the evaluations presented in Paper 14. Correlations between areas of development pressure and areas of higher sensitivity are sought, though it is observed that development pressure is low within „vulnerable“ LCAs. It is not clear whether the analysis of development pressure has informed the capacity evaluation, either in terms of the development types being considered, or in terms of setting „thresholds“ for capacity.

Conclusion

- 1.36 This paper focuses on housing and wind energy, and identifies an area of “pressure” close to the Curraghinalt Project site. While not directly relevant to mineral extraction development, we are concerned that as a result of the lack of rigour shown in the landscape evaluation, this could be misinterpreted as a constraint on any type of development in this area.

Findings in relation to the Curraghinalt Project

- 1.37 The evaluations of capacity and sensitivity do not appear to be targeted towards mineral extraction development, and are not therefore directly relevant to the Curraghinalt Project. However, due to the aforementioned lack of rigour in the landscape evaluation process, there is clearly a risk that the results could be misinterpreted as a constraint on all development types in particular areas.
- 1.38 The NILCA places the Curraghinalt Project within LCA 24 South Sperrins, and close to the boundary with LCA 25 Beaghmore Moors and Marsh. Both of these LCAs are stated to be of low capacity within Position Paper 14. The evaluations of these LCAs are therefore reviewed in more detail below.

LCA 24 South Sperrins

- 1.39 In Appendix 4 of Position Paper 14, this LCA is assessed as of high scenic quality. This is based on the fact that it is “*an upland river valley with broad rounded ridges*”, a quote from the NILCA, and that it is in the Sperrin AONB. It is also assessed as having high sensitivity, on the basis of “*unspoilt character and many valued characteristics and features*”. As noted above, these assessments draw on text from the NILCA, and are not based on consistent criteria.
- 1.40 The “principles” cited for this LCA comprise two very specific statements on suburban-style development and tourist facilities. There is no evidence provided to support the overall assessment of low capacity to absorb development.
- 1.41 In Section 6 of Paper 14, LCA 24 is listed as one of the “vulnerable” character areas, but other than reference to the 2010 SPG, there is no further evidence to support the capacity assessment.

LCA 25 Beaghmore Moors and Marsh

- 1.42 In Appendix 4, this LCA is assessed as of medium scenic quality. This is due to: its location in the AONB; its “*distinctive character and many important landscape values*”, though these are not further defined; and its generally “*poor condition*”. It is assessed as having medium sensitivity, again with reference to the AONB designation, and is stated to be “*unsuitable/sensitive to large scale development due to low-lying marsh in areas*”. The reasons that these marshes are considered so sensitive are not set out.
- 1.43 The “principles” cited for this LCA repeat the assertion of the sensitivity of marshes, and comment on the restoration and siting of buildings. Again, there is no evidence to support the overall assessment of low capacity to absorb development.
- 1.44 In Section 6 of Paper 14, LCA 25 is listed as one of the „medium sensitivity“ character areas. This adds reference to “*irregular ridges and mounds*”, the “*open and exposed*” character, and the presence of sand and gravel quarries. Conifer plantations are stated to present “*opportunities for development*”, though this is not explained further.

Recommendations in Paper 14

SPCDPS023 - Appendix 1

- 1.45 In the conclusion of Paper 14, the “High Sperrins” are recommended for greater policy protection, though it is not clear what area is being referred to, or how it relates to the LCAs that are wholly or partly within the Sperrin AONB.

Overall conclusions

1.46 Based on our review of the FODC papers, we conclude the following key points:

- The papers do not provide a reliable assessment of landscape sensitivity or capacity, and do not represent a reliable evidence base for policy formulation or decision making;
- There is no evidence to suggest that the Curraghinalt area does not have the capacity to absorb the type of development proposed under the Curraghinalt Project; and
- The findings of a robust and defensible site-specific assessment of the scheme proposed, and its likely impacts on landscape character and visual amenity, will carry far more weight in the planning process than the high-level analysis provided in the FODC papers – as stated for instance in GLVIA3 paragraph 5.41 which notes that sensitivity studies “*cannot provide a substitute for the individual assessment of the susceptibility of the receptors in relation to change arising from the specific development proposal*”.

Appendix 2: Magherafelt Area Plan – PAC Report Extract, January 2011

21.0 Areas of Constraint on Mineral Development

21.1 Designation COU 10 proposes the designation of Areas of Constraint on Mineral Development (ACMDs) as identified on Map No. 1 Countryside. Four areas are identified as follows:

- Adjacent to and part of Lough Beg;
- Part of Lough Neagh;
- Along the District's entire western boundary; and
- Adjacent to Slieve Gallion, including Longfield.

Designation COU 10 also proposes that all Wildlife Refuges, Nature Reserves, Areas of Special Scientific Interest (ASSIs), Areas of Scientific Interest (ASIs), sites identified under the Ramsar Convention on Wetlands of International Importance (RAMSAR), Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) be designated as ACMDs. These are shown on Maps Nos. 108-133 inclusive.

Sites of Local Nature Conservation Importance (SLNCIs) are also proposed to be ACMDs.

21.2 Proposals for the development of mineral resources (including peat) within these areas will be determined in accordance with prevailing regional planning policy, currently set out in Policy MIN 3 of A Planning Strategy for Rural Northern Ireland (PSRNI).

21.3 The main issues raised by objectors are as follows:

- General objections to all proposed ACMD designations;
- Department's methodology in designating ACMDs;
- Failure to fully acknowledge the importance of minerals in terms of both the District and the Northern Ireland (NI) economy;
- Disproportionate weight in favour of environmental interests;
- Possible adverse impact of the proposed designations on the sand and gravel industry, the region's economic development interests and the rural economy;
- Inadequate consideration of the implications of existing regional policy;
- Inconsistent approach as a smaller area has been so protected in the adjoining Cookstown District;
- Inclusion of the following lands within the proposed ACMDs:
 - Ballyscullion Road, Bellaghy;
 - Creagh Concrete's quarry at Brackagh, Disert Road;
 - Deerpark Road, Bellaghy;
 - Fallylea Road, Maghera;
 - Killnaught Road, Draperstown;
 - Letteran Road, Moneymore;
 - Lisnamuck Road, Maghera;
 - Newferry Road, Bellaghy;
 - Quilly Road, Moneymore;
 - Rannaghan Road, Maghera;
 - Seefin Hill, Maghera; and
 - Tirgan Road, Moneymore.

Objections in respect of other specified lands were found not to come within proposed ACMDs;

- Inclusion of the following RAMSAR site within the proposed ACMDs:
 - Ballynahone Bog shown on Map No. 108;

- Inclusion of the following Candidate SACs within the proposed ACMDs:
 - Ballynahone Bog shown on Map No. 111;
 - Carn/Glenshane Pass shown on Map No. 112; and
 - Teal Lough shown on Map No. 115;
- Inclusion of the following ASSIs within the proposed ACMDs:
 - Carn/Glenshane Pass as shown on Map No. 121;
 - Teal Lough & Slaghtfreeden Bogs shown on Map No. 127; and
 - Teal Lough Part II shown on Map No. 128;
- Inclusion of the following proposed SLNCIs within the proposed ACMDs:
 - Ballymacombs More shown on Map Nos. 1 & 9;
 - Charley's Hill shown on Map Nos. 1 & 17;
 - Clooney shown on Map Nos. 1 & 19;
 - Drumlamph (Annaghaboggy) shown on Map Nos. 1 & 33;
 - Eden Hill shown on Map Nos. 1 & 37;
 - Holyhill Wood shown on Map Nos. 1 & 43;
 - Moneymore Delatas incorporating Quilly Glen and Reubens Glen shown on Map Nos. 1 & 54;
 - The Island (Dreenan) North Bog shown on Map Nos. 1 & 67;
 - The Island (Dreenan) South Bog shown on Map Nos. 1 & 68; and
 - Upperlands Island Dam shown on Map Nos. 1 & 75; and
- The protection of existing quarries at Knockloughrim and Gulladuff from incompatible development.

Regional policy context

- 21.4 RNI 1.2 of the Regional Development Strategy (RDS) seeks to facilitate the development of rural industries, businesses and enterprises, which benefit economic activity whilst protecting or enhancing the environment. It also aims to use minerals for economic development in a sustainable manner and in a way that assesses the need to exploit the mineral resource against the need to protect and conserve environmental resources.
- 21.5 Operational policy for minerals development across Northern Ireland is set out in the PSRNI and Policy MIN 3 makes provision for the designation of ACMDs in development plans if for visual, conservation or other reasons, areas require to be protected from mineral developments. In these areas there is a presumption against minerals development unless the operations are short-term and the environmental implications are not significant. The policy provides scope for such designations to form all or part of areas protected for their visual, scientific, archaeological or historic interest. General policy for minerals development provides a general presumption in favour of such development but indicates the need to balance the value of minerals to the economy with the development's environmental implications and the level of mitigation when dealing with an individual proposal. This balance is echoed in Policy MIN 1 as it requires decision makers to assess the need for the mineral resource against the need to protect and conserve the environment. It makes specific reference to ASSIs, NNRs and areas that contain features of archaeological or historic interest and states that planning permission will not normally (our emphasis) be granted where the essential character of such areas would be prejudiced. The Department, however, will balance the case for a particular mineral working proposal against the need to protect and conserve the environment, taking account of all relevant environmental, economic and other considerations. Policy MIN 2 of the PSRNI deals exclusively with the visual implications of minerals extraction. Its explanatory text notes that it is a fact of geology that some of the more beautiful parts of the countryside such as Areas of Outstanding

Natural Beauty (ACNBs) and areas of high scenic value contain easily workable reserves of rock and coal and gravel and acknowledges that it would be unrealistic to dispense with essential sources of supply. Accordingly, Policy MIN 2 provides that applications for new mineral workings and extensions to existing workings in ACNBs will be subject to rigorous examination with particular attention being given to the landscape implications of the proposals. It is clear that, in relation to the environmental designations encompassed in Policies MIN 1 and MIN 2, there is a balance to be struck between minerals exploitation and environmental protection.

- 21.6 Regional policy for the natural and built environment is set out in Planning Policy Statement 2 (PPS 2) and Planning Policy Statement 6 (PPS 6). The level of protection afforded to the environment and built heritage designations varies with their position in the hierarchy of international, national and local when considering development proposals. In this context, Sites of International Nature Conservation Importance such as RAMSARs, SPAs and SACs and Archaeological Remains of Regional Importance are situated at the top of the hierarchy and are afforded greatest protection from development proposals whilst those of local importance such as Wildlife Refuges are afforded lesser protection. It is important to bear in mind that PPS 2 and PPS 6 apply to all types of development proposals whereas Policies MIN 1-3 are specifically tailored to minerals development in recognition of both the potential for significant environmental damage caused by this type of development but also its importance to the economy.
- 21.7 ACNBs are designated under the Nature Conservation and Amenity Lands (NL) Order 1985. Their functions are to: conserve or enhance the natural beauty or amenities of that area; conserve wildlife, historic objects or natural phenomena therein; promote the public's enjoyment of the area; and provide or maintain public access to the area. Regional policy for the control of development within ACNBs is set out in Policy DMS 4 of the PSEN, which requires development proposals to be sensitive to the distinctive character of the area and the quality of their landscape, heritage and wildlife.
- 21.8 **Balancing environmental protection against minerals development**
In assessing whether the draft Plan strikes the appropriate balance between protecting and conserving the environment and the use of minerals for economic development in a sustainable manner as required by RNI 1.2 of the RDS, we were presented with no evidence of proactive planning for minerals at the regional level. Indeed, the Department acknowledged deficiencies in this respect. There is a substantial information gap in respect of the needs of industry for minerals and the location, quantity and quality of resources. Whilst the Department argued that if supplies are not available in Magherafelt District they could be imported from elsewhere, this was not supported by evidence of supply of and demand for minerals at the regional level or of the availability of resources outside the District. It is difficult, if not impossible, to draw any conclusions in respect of the need to exploit the minerals reserves of the District when there is incomplete and only ad hoc quantitative, and apparently no qualitative evidence, of the national situation. The absence of a regional minerals plan and the planned limits for increasing regional mineral and related development supply the information base.
- 21.9 In addition to these misgivings, little or no thought appears to have been given to rising transport costs, the effect that this would have on the cost to the consumer and the sustainability of importing minerals from outside the District when there are local reserves. These concerns are especially worrying given the relative strength of the secondary industrial sector in Magherafelt District and the prevalence of businesses

- specialising in concrete products. These omissions are also surprising given that the introduction to the minerals section of the PSRNI (page 80) states that transport costs will continue to require workings to be in relatively close proximity to markets.
- 21.10 The Department's approach in Designation COU 10 is to include all areas that are subject to environmental designations within ACMDs irrespective of the relative importance of the designation. The effect of this approach is to introduce a presumption against minerals development in extensive parts of the District in which there are widespread minerals deposits that are of significant value to the local and regional economy. Such an approach does not suggest that adequate consideration has been given to balancing economic and environmental considerations.
- 21.11 The inclusion of all envisaged environmental designations as ACMDs in the development plan would preclude the development control approach advocated by Policy MIN 1 and is not the correct approach. What is required is consideration of the importance of protected sites in terms of the conservation hierarchy together with detailed analysis of those features within the designation that require the level of protection afforded by Policy MIN 3. In its evidence the Department listed what it considered to be the seven most important factors that were taken into account in designating ACMDs. Despite this, neither the Technical Supplements nor its written submission provided sufficient information on each of the factors and how they influenced the designation of particular sites/areas as ACMDs. The proper approach is to consider the hierarchy of designations and those areas most vulnerable to minerals development and to include those areas within ACMDs where policy in MIN 1 and PPS 2 is considered insufficient to address individual proposals. The outcome of this exercise should reflect the greater need for more stringent protection in those areas of greatest conservation importance. It is only in this way that the necessary balance can be struck between economic and environmental considerations.
- 21.12 The ACMD designation in the Sperrins AONB does not cover the entirety of its extent and we note that the AONB is not specifically referred to in the explanatory text of Designation COU 10. As with the environmental designations, it is not clear from the Department's evidence which factors led to the designation of such an extensive area and we are not persuaded that the necessary refinement has been carried out in respect of this part of the ACMD designation. A similar exercise to that suggested for the environmental designations needs to be carried out in respect of the AONB, clearly setting out those areas most vulnerable to minerals development and limiting areas of constraint to those parts of the AONB where the protection afforded by MIN 2 and DES 4 is considered insufficient.
- 21.13 It is noted that ACMDs have been designated in other Area Plans, including that part of the Sperrins within the adjoining Cookstown District covered by the Cookstown Area Plan. We endorse the designation of ACMDs where required but have not been persuaded that the extent of the areas so designated in the draft plan can be justified on the basis of the evidence provided by the Department.
- 21.14 In view of the Department's failure to correctly interpret the policy context within which ACMDs are designated and to give adequate reasoning for its approach, we recommend that the Department reviews the number and extent of the areas that it proposes as ACMDs and, where such a designation is proposed, that site/area specific evidence is set out clearly explaining the features that merit the additional layer of protection that Policy MIN 3 affords. On this basis, we do not endorse the four proposed ACMDs identified in

paragraph 21.1 nor the proposed designation of Wildlife Refuges, Nature Reserves, ASSIs, ASIs, RAMSAR sites, SPAs, SACs and SLNCIS as ACMDs.

Recommendations:

21.15 We recommend that Proposed Designation COU 10 is deleted from the plan and that the Department reviews the requirements for ACMDs and, if found to be required, brings forward amended proposals for the designation of Areas of ~~Conservation or Mineral Development under Article 4 of the Planning (NI) Order 1991 as an alteration to the Plan.~~

Protective designation for existing quarries

21.16 Turning to the issue of the need for protection of three existing quarries adjoining the ~~proposed Settlement Development Limits of Muckishoghin and Ouladuff. The objections are concerned about the commencement of residential development as their greater proximity increases their residential amenity could then reduce or overrule any scope for extension of the existing enterprise in accordance with Policy MIN 6 of the PSRNI. We have no evidence on the extent of the approved areas of extraction, just areas indicated on OS map outside that they will be one subject of a designation that would be land suitable for mineral extraction.~~

21.17 The Health & Safety Executive is notified on planning applications within 100m of an area of approved reserves, given concerns about safety and amenity. Whilst this offers ~~two-way protection and provides a degree of surety for policy operators, it is only guidance and is not legally binding.~~

21.18 As ~~paragraph 3 of Planning Policy Statement 4 specifies that its provisions do not apply to mineral extraction, it does not provide support for the suggested protective designation. Policy MIN 3 of the PSRNI applies only to valuable mineral reserves that are considered to be of particular value to the economy. There is no evidence that the quarries subject of objection fall into this category. SPG RNI 1 of the RDS seeks to maintain a working countryside with a strong mixed use rural economy and RNI 1.2 aims to facilitate the development of rural industries, business and enterprises in appropriate locations. However, these provisions of the RDS must be balanced against the prospect of a protective designation for these quarries resulting in the blight of land within their proposed associated cordon sanitaire. On balance, given the lack of evidence about the extent of reserves at these quarries and unexploited areas subject of permission to extract, weighed against the possibility of blight, we find that the suggested protective policy would be inconsistent with Article 3 of the Planning Order and paragraph 35 of Planning Policy Statement 1. Accordingly there should be no change to the plan in this respect.~~

[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]

[REDACTED]

Appendix 2: Detailed Representations following a review of the Sustainability Appraisal



Appendix 2

Curraghinalt, Gortin

December 2018

A review of the Sustainability Appraisal supporting the Fermanagh and Omagh LDP Draft Plan Strategy.

1. A review of the Sustainability Appraisal (SA) documents that have been produced in support of the Fermanagh and Omagh (F&O) Local Development Plan (LDP) Draft Plan Strategy October has been undertaken on behalf of Dalradian.
2. The documents that have been reviewed are;
 - 1.2.1 Fermanagh and Omagh District Council Local Development Plan 2030, Draft Plan Strategy, October 2018.
 - 1.2.2 Fermanagh and Omagh District Council Local Development Plan, Sustainability Appraisal (hereafter referred to as The Draft SA Report) of the LDP Draft Plan Strategy Incorporating the Strategic Environmental Assessment, October 2018.
3. For Northern Ireland the relevant guidance with respect to Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) is;
 - 1.3.1 Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (the EAPP Regulations); and
 - 1.3.2 Development Plan Practice Note. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015.
4. Given the complexity of the SA process and the experience (including relevant case law referenced in these representations) of its application in England, Scotland and Wales, it is also recommended by the guidance above¹ refer to the following guidance where necessary;
 - 1.4.1 A Practical Guide to SEA. Department of Communities and Local Government, September 2005
 - 1.4.2 National Planning Practice Guidance. Strategic environmental assessment and Sustainability appraisal. (<http://planningguidance.communities.gov.uk/>).
5. Dalradian are fully supportive of the principles of sustainable development and are committed to their current and future exploration and extraction activities having a positive economic, social and environmental benefit on the local community and (national) economy.

¹ https://www.planningni.gov.uk/index/advice/practice-notes/dp_practice_note_4_sa.pdf. Page 42.



6. It is recognised by national policy that sustainable minerals extraction can be a key role in sustainable economic growth. Indeed paragraph 6.149 of the Strategic Planning Policy Statement (SPSS) states that;
 - *The Sustainable Development Strategy recognises that while it is important that we respect the limits of our natural resources and ensure a high level of protection and improvement of the quality of our environment, 'sustainable development' does not prevent us from using and capitalising on such resources. An enduring successful economy will effectively use natural resources and contribute towards the protection of the environment.*
7. For the F&O Local Plan, sustainable development is achieved through sound plan making and through the application of the SA and SEA process.
8. Paragraph 3.1 of the SA/SEA DP Practice note states that;
 - *The purpose of the SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of plans and programmes such as local development plans.*
9. Given the commitment of Dalradian to sustainable minerals extraction and the function of the SEA/ SA process in relation to the dPS, we believe there to be fundamental flaws in the SA/ SEA process to date which gives rise to the potential for legal challenge and delays to the adoption of the F&O Local Plan.
10. A review of the SA documents listed above against the EAPP Regulations and the Development Plan (DP) Practice note has been undertaken to identify where there are;
 - 1.10.1 Areas of procedural or technical non-compliance with the EAPP Regulations; and/ or
 - 1.10.2 Areas of procedural or technical non-compliance with the guidance within the DP SA/ SEA (hereafter referred to as the DPP Practice note) Practice note.
11. Dalradian have made previous representations² to the F&O SA Scoping Report and Interim SA accompanying the Preferred Options Paper (POP) presenting a number of concerns with the SA process to date and the evolution of the policies currently within the dPS.
12. Appendix 1 of The Draft SA Report responds to Dalradians previous representations with a summary of the representations (underlined) and council responses (italics) presented below:
13. The concerns raised in previous representations can be summarised as follows:
 - 1.13.1 Publication of the SA Scoping report at the same time as the POP SA report – F&O District Council states that this is in line with EAPP Regulations.
 - 1.13.2 Failure of the baseline information within the scoping report to recognise the nationally significant gold reserves at Curraghinalt and the substantial benefits this could have on the local economy – F&O District Council state that this has information has been integrated into The Draft SA Report and will be considered in later iterations of the policy development

² XREF Previous reps

- 1.13.3 The SA framework does not facilitate the accurate assessment of emerging policies to encourage sustainable extraction of the mineral assets but, as structured, seeks to restrict extraction where possible. F&O District Council state that this has been considered in the assessment of the policies.
 - 1.13.4 Failure of the I&O SA to undertake correct consultation and specifically transboundary consultation; and F&O District Council state that the SA has been checked for procedural compliance with the EAPP Regulations.
 - 1.13.5 Failure of the I&O SA with regards to the development and assessment of the reasonable alternatives to deliver the policy options and specifically the presentation of Option 3 as a reasonable alternative without defining the Minerals Safeguarding Areas (MSAs) and therefore preventing an assessment of the sustainability impacts of this option – F&O District Council states that the definition of these areas is not needed to allow an assessment of option 3.
 - 1.13.6 An inaccurate appraisal of the sustainability benefits from nationally significant gold reserves upon the SA objectives. F&O District Council acknowledge that these comments will be considered in The Draft SA Report.
14. Within the issues raised above, Dalradian raised a strong objection to the introduction of a 15 year time limit upon minerals exploration for the following reasons:
- 1.14.1 The 15 year time limit on minerals extractions includes all phases of development including decommissioning and restoration and therefore presents potentially very limited time for extraction and presents substantial commercial barriers to minerals extraction.
 - 1.14.2 The 15 year time limit was presented with no supporting evidence to justify its inclusion; and;
 - 1.14.3 No reasonable alternatives to the 15 year extraction limit were considered.

The F&O District Council, Local Development Plan 2030 Draft Plan Strategy. Minerals Policies

15. Section 4 of these representations summarises the dPS approach to minerals exploration and extraction which are contained within policies MIN 01 – MIN 03. Section 4 also presents Dalradians fundamental concerns with these policies and their impact upon minerals extraction and Dalradians interests at Curraghinalt which is subject to a live planning application.
16. With regards to these policies there are specific requirements which are of particular significance to the soundness and legal compliance of the SA process and the appraisal and selection of the reasonable alternatives to these adopted policies. These are:
 - 1.16.1 Policy MIN01 - The inclusion of a 15 year time limit upon minerals extraction which is unjustified and which, if implemented, will severely restrict sustainable minerals extraction;
 - 1.16.2 The identification of the entire Sperrins AONB as an Area of Constraint for Minerals development which immediately sterilises vast areas of known mineral reserves; and

- 1.16.3 Policy MIN 02 Mineral Safeguarding Areas (MSA)– The proposed adoption of Policy MIN 02 without the identification of any of the MSAs which is to be left to the future Local Policies Plan.

Regulations and Guidance with Respect to the SA Process

17. As stated in Paragraphs 3 and 4, the legislation and guidance with regards to the SA/ SEA process is contained within the following documents;
- 1.17.1 Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (the EAPP Regulations); and
- 1.17.2 Development Plan Practice Note. Sustainability Appraisal incorporating Strategic Environmental Assessment. April 2015.
18. Given the complexity of the SA process and the experience (including relevant case law referenced in these representations) of its application in England, Scotland and Wales, it is also recommended by the guidance above that local authorities refer to the following guidance where necessary;
- 1.18.1 A Practical Guide to SEA. Department of Communities and Local Government, September 2005
- 1.18.2 National Planning Practice Guidance. Strategic environmental assessment and Sustainability appraisal. (<http://planningguidance.communities.gov.uk/>).
19. Given our concerns with the SA process, we consider it useful to present specific extracts of this legislation and guidance from these documents which is set out below.

What is a reasonable alternative?

20. Given that one of our fundamental concerns with the SA process is the identification and assessment of reasonable alternatives we consider it important to present further guidance with respect to the definition of 'a reasonable alternative' for the purposes of plan making.
21. Paragraph 8.2 of the DPP Practice note³ states that:
- 1.21.1 Reasonable alternatives are the different realistic options available to a council for delivering the objectives of its local development plan. They should also be consistent with other aspects of the plan as well higher level plans and policies and, in the case of the Local Policies Plan, the Plan Strategy.
22. It is also useful to refer to the Planning Practice Guidance (PPG) for England and Wales which also provides a description of a *reasonable alternative* which has evolved through the application of the SA process over time and relevant case law:
- 1.22.1 Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the

³ X ref DPP note

different sustainability implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable.

23. Based on the guidance quoted above, it is clear that a reasonable alternative (either rejected or approved) must be realistic and deliverable (i.e. achieve the strategic objectives of the plan) and sound (i.e. in confirmation with national and local policy).

The EAPP Regulations

24. Schedule 2 (8) of the EAPP regulations require that the environmental report presented with the dPS contains;

1.24.1 An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of knowhow) encountered in compiling the required information

The Development Plan Practice Note

25. This document provides detailed guidance to local authorities for the SA process, within which there are several provisions relevant to these representations which are:

1.25.1 Paragraph 3.3 states that the function of the SA process is

1.25.1.1 raising awareness of the social, economic and environmental impacts of the plan;

1.25.1.2 facilitating the identification and assessment of reasonable alternatives for the plan;

1.25.1.3 demonstrating that the plan is the most appropriate given the reasonable alternatives;

1.25.2 Paragraph 7.3 (b) stresses the importance of baseline information to the SA process and that it should be presented early in the SA process to allow the stakeholder to clearly understand the social, economic and environmental characteristics of the plan area to understand how these may be affected by the plan in question.

1.25.3 Paragraph 8(a)ii states the following with regards to the assessment of reasonable alternatives at the preferred options stage:

1.25.3.1 The appraisal of reasonable alternatives against sustainability issues, as set out in the SA Scoping Report, can help a council to determine their preferred options for the preparation of subsequent development plan documents. It will also help to provide a sound evidence base to justify a council's preferred options and make the decision making process more transparent.

1.25.4 Paragraph 8(a)ix states that the appraisal needs to compare all reasonable alternatives including the preferred option and assess these against the baseline environmental, economic and social characteristics of the area and also the likely situation without the implementation of the plan.



- 1.25.5 Paragraph 9(a)i states that the appraisal for reasonable alternatives for the draft plan should follow the same methodology used for the appraisal of options in the POP (refer to Annex 7) and in particular, the requirements as set out in Regulation 11 and Schedule 2(8) of EAPP (NI) Regulations. The difference at this stage is that the range of reasonable alternatives considered should now be within the context of a council's preferred options and focus on the strategic options and policies for delivering the objectives of the Plan Strategy.
- 1.25.6 Paragraph 9(a)v states that a comprehensive appraisal of alternatives for the draft plan is particularly important at both the PS and Local Plan Policies (LPP) stage as a council may have to consider any likely significant effects of changes to the draft plan as a result of the independent examination and the Department's Binding Report. Regulation 15(4) also sets out the information requirements for the adoption of the draft plan which must include the reasons for the choosing the plan as adopted in light of the other reasonable alternatives dealt with. A council may therefore have to refer back to the appraisal of alternatives in order to determine any likely significant effects in circumstances where an alternative option needs to be considered for the adoption of the plan.
- 1.25.7 Paragraph 9(a) vi states that a further appraisal may be required if a change substantially alters the draft plan and may have likely significant effects which have not previously been appraised. Therefore, a thorough and robust appraisal of alternatives at this stage may lead to time and cost savings in the long run.
- 1.25.8 Paragraph 10.2 states that the purpose of the SA report is to present the findings of the appraisal and show how reasonable alternatives and any likely significant effects of the implementation the draft plan have been taken into account in the decision making process. The SA Report should aim to provide transparency by documenting the SA and plan preparation process and highlighting any changes to policies and proposals and mitigation measures as a result of the SA of the draft plan. It should provide the audit trail of policy thinking and development

The Planning Practice Guidance.

26. The Planning Practice Guidance (PPG) has replaced the previous SA/ SEA guidance document issued by the former Office of the Deputy Prime Minister (ODPM)⁴. Although applicable to England and Wales it is relevant given that the ODPM guidance is referenced by The DPP Practice note and it has evolved in response to the use of SEA (which is derived from the same EU directive as the EAPP regulations) in the plan making system within England and Wales. Useful extracts include:

- 1.26.1 *The sustainability appraisal should identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them. The sustainability appraisal must consider all reasonable alternatives and assess them in the same level of detail as the option the plan-maker proposes to take forward in the Local Plan (the preferred approach).*

⁴ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

1.26.2 *The sustainability appraisal should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives. It should provide conclusions on the overall sustainability of the different alternatives, including those selected as the preferred approach in the Local Plan. Any assumptions used in assessing the significance of effects of the Local Plan should be documented⁵.*

Soundness and Legal Compliance of The Draft SA.

27. Given the concerns raised in previous representations and the content of Policies MIN01- MIN03, Dalradian maintain their fundamental concerns with regards to the soundness and compliance of the SA process with the EAPP Regulations with regards to;
- the SA Process to date and the failure by the SA to identify the correct baseline of the plan area and facilitate the development of policies to secure the economic and social benefits available from minerals extraction.
 - the appraisal and selection/ rejection of reasonable alternatives to the draft minerals policies presented in the dPS.

Concerns with The SA Process to date

28. Given the response to Dalradians previous representations and the nature of the policies for mineral extraction (MIN01 – MIN03), we have a number of fundamental concerns with the SA process to date which remain unresolved. These are set out below:

Failure of the SA to recognise the economic potential of the gold reserves at a sufficiently early stage to warrant an appropriate and reasonable policy response in accordance with the SPSS.

29. As part of previous representations to the POP and its supporting interim SA, Dalradian noted that the economic and minerals baseline data section of the SA did not recognise the nationally (and globally) significant gold reserves present within the plan area and therefore the scale of economic opportunity available. Appendix 1 of the SA contains F&O District Councils response to these concerns which states that this will be addressed as part of the dPS and later plan stages.
30. Appendix 2 contains a revised SA baseline data section with Paragraph 9.3 (Minerals) presenting a summary of the gold activity as:
- 1.30.1 Gold extraction has also experienced increased potential with an active gold mine at Cavanacaw, south of Omagh and ongoing exploration at Curraghinalt which lies within the Sperrin AONB.
31. Dalradian note that this description is identical to that contained within the Interim SA and has therefore not been updated despite the availability of the following:
- 1.31.1 The submission of an outline planning application by Dalradian for gold extraction at Curragin Vhalt which provides a wealth of detailed information with regards to the scale of

⁵ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>. Paragraph: 018 Reference ID: 11-018-20140306



gold reserves which (in current values) is estimated to have a value in excess of £4,000,000,000 (billion) which would generate up to 350 full time, well paid jobs and generate substantial generational economic and social benefits to the local community.

1.31.2 The presence of an updated Minerals evidence base paper⁶ which references the application and the scale of nationally and globally significant scale of gold reserves within Currighalu and the nearby Cavanacaw deposit.

32. Despite written assurances that that the SA would consider the scale of gold reserves and therefore the economic and social benefits this could bring to the district, it has failed to do so whilst in parallel developing policies which preclude commercially viable extraction within the areas of known gold reserves. Such an approach is unsound in that it is contrary to the policies within the SPSS which facilitates the sustainable extraction of mineral reserves and Paragraphs 3.3 and 7.3(b) of The DPP Practice note.

The appraisal and selection/ rejection of reasonable alternatives to the draft minerals policies presented in the dPS

33. Dalradian have raised significant concerns with the selection/ rejection and appraisal of reasonable alternatives at the POP stage which included:

1.33.1 The appraisal of Option 3 (Mineral Safeguarding Areas) as a reasonable alternative without the identification of those areas within the plan despite there being ample existing evidence to allow this.

1.33.2 The identification of a 15 year time limit upon minerals extraction without the consideration of alternatives or evidence to justify that this was the 'only alternative'.

1.33.3 The appraisal and selection of Option 3 (Mineral safeguarding areas) as the preferred option without recognising the fact this will not facilitate economic and social benefits from minerals extraction given that it substantially reduces the commercial viability of extraction and also conflicts with the restriction of minerals development within an AONB.

34. Table 4 of The Draft SA presents the *reasonable alternatives* considered for the evolution of Policy MIN01 and specifically the scope of the Areas of Constraint on Minerals Development (ACMD). It confirms that two alternatives were appraised which are:

1.34.1 Option 1 - SCAs, ASAs and Environmental Designations

1.34.2 Option 2 - *PREFERRED OPTION – above plus AONB and AoHSV

35. The appraisal of these options is contained within Table 14 of the SA which notes that the difference in effects of either option is minimal however we strongly disagree with this conclusion on the basis that including AONB within ACMD essentially incorporates all of the areas of known mineral reserves (including those at Curraghinalt) and therefore places a severe restriction upon minerals development.

⁶ <https://www.fermanaghomagh.com/app/uploads/2018/12/Minerals-2.pdf>. Page 11.



36. As stated in Section 4 of these representations, it would appear that other forms of development are permissible within the AONB and, furthermore, that such a blanket restriction is not in accordance with Paragraph 6.155 of the SPSS which states that:
- 1.36.1 “Where a designated area such as an Area of Outstanding Natural Beauty (AONB) covers expansive tracts of land, the LDP should carefully consider the scope for some minerals development that avoids key sites and that would not unduly compromise the integrity of the area as a whole or threaten to undermine the rationale for the designation.”
37. Given that Option 2 is therefore not compliant with national policy in this regard and places substantial restrictions on minerals extraction (and therefore fails in the plans strategic objective 15) it cannot be considered a sound and reasonable alternative and is in breach of paragraph 8.2 of the DPP note.

The 15 year time limit upon minerals extraction within Policy MIN01.

38. A 15 year time limit upon minerals extraction was one of the requirements of Policy MIN01 introduced by the POP. Dalradian submitted representations expressing significant concerns to this time limit because:
- 1.38.1 It includes all mine activities including exploration, extraction, decommissioning and restoration which places little time for extraction activities to justify the initial investment and fundamentally challenges scheme viability.
- 1.38.2 The limit was introduced within any evidence to justify it was the only option worthy of consideration and that there were no other *reasonable alternatives*.
39. The introduction of the 15 year time limit is the most limiting factor proposed within Policy MIN01 and, for the reasons stated above, Dalradian believe that its inclusion, without the consideration and assessment of other reasonable alternatives is a breach of The EAPP regulations.
40. As stated in Paragraphs 4.24 – 4.35 the use of the 15 year time limit is neither sound nor in compliance with national policy. Furthermore, Paragraph 4.25 -4.27 identifies several other examples where longer time limits have been applied to extraction activities where such reserves are known to exist which includes a permission by the Department of the Environment for extraction at Demesne Quarry in Glenarm for a period of 25 years and which is within an ACMD. There is therefore clear precedent for other alternatives to the 15 year development restriction period.
41. The identification, selection and rejection of reasonable alternatives is one of the most fundamental requirements of the SA/ SEA process and, as such, has resulted in the generation of a substantial volume of case law which is often used during plan examinations within England and Wales.
42. One such case was established in 2015 between Ashdown Forest Economic Development LLP (hereafter referred to as The Developer) V Wealdon District Council & South Downs National Park Authority for which a brief overview is provided below with a copy of the judgement in Appendix 3 of these representations.

43. In February 2013 Wealden District Council (“the Council”) and the South Downs National Park Authority adopted the Core Strategy Local Plan (“the Core Strategy”). The Core Strategy contained a policy (WS12) that required residential development within 7km of the Ashdown Forest (which is classified as a Special Protection Area (SPA)) to provide contributions to Suitable Alternative Natural Greenspaces (SANGs).
44. The Developer challenged (and then subsequently appealed) the adoption of WS12 on the grounds that the Council had failed to consider reasonable alternatives to the 7km zone given that other options were clearly available.
45. Paragraph 42 and 43 of the judgement states that:
- 1.45.1 *I accept Mr Edwards's submission that the identification of reasonable alternatives is a matter of evaluative assessment for the local planning authority, subject to review by the court on normal public law principles, including Wednesbury unreasonableness. In order to make a lawful assessment, however, the authority does at least have to apply its mind to the question. A fundamental difficulty faced by the Council in the present case, and not satisfactorily addressed in Mr Edwards's submissions, is that there is in my view no evidence that the Council gave any consideration to the question of reasonable alternatives to the 7 km zone. If the Council had formed a judgment that it was not appropriate to “drill down” into the plan as far as the specific details of policy WCS12 for the purpose of identifying alternatives, or that there were no reasonable alternatives to the 7 km zone, then it would be in a relatively strong position to resist the appellant's claim. But in the absence of any consideration of those matters, it is in a very weak position to do so.*
- 1.45.2 *The witness statements of Ms Marina Briggshaw, the Council's Planning Policy Manager, describe in some detail the process leading to the adoption of the Core Strategy and engage with a variety of specific points raised in the evidence of the appellant, but they do not suggest at any point that the Council did consider the question of reasonable alternatives to the 7 km zone.*
46. The appeal was successful and the 7km buffer was removed from the policy on the basis that reasonable alternatives to this were clearly available for consideration and there was no evidence to demonstrate that the council had considered any reasonable alternatives.
47. The existence of this (and other similar) case law demonstrates the legal requirement for the identification and consideration of reasonable alternatives to policy options. In its current form the SA fails to comply with the EAPP regulations with respect to MIN01 and the arbitrary selection of the 15 year extraction limit.

Policy MIN03 – Minerals Safeguarding Areas.

48. Within the representations to the POP and its supporting SA, Dalradian raised significant concerns with regards to the introduction of mineral safeguarding areas to protect valuable mineral resources without the identification of those areas despite there being the evidence to do so. From an SA perspective, the absence of these areas did not enable effective assessment of the sustainability implications of this policy.

49. The dPS introduces Policy MIN03 which states that the MSAs will be introduced at a later stage around minerals of economic or conservation importance. Table 4 of The draft SA accompanying the dPS states that the following reason for the rejection of MSAs at the dPS stage with respect to MIN03:
- 1.49.1 There is an absence of evidence to successfully inform the identification and designation of MSAs at the PS stage. As such this policy identifies a 'framework' for the assessment of applications when these are identified (most likely at the LPP stage). In the absence of this evidence it was not possible to identify alternative 'extents' of the designation.
50. Not only is the statement above contrary to the identification of the ACMD (for which evidence was available) but it is also contrary to the available evidence from the GSNI Geological Resource maps and actual survey data from the Curraghinalt outline planning application which clearly identifies the location of valuable minerals within the Sperrin AONB.
51. Furthermore, the SA assessment of the reasonable alternatives for minerals exploration within the Interim SA (which included the use of MSA's) provided the evidence to support the selection of Option 3 (which effectively became MIN01-MIN03) as the preferred option. The decision at dPS stage to now defer the selection of these MSAs renders this assessment unsound.
52. Therefore the SA has failed to provide a sound reason for the rejection of the reasonable alternative for protecting valuable minerals resource and, in the absence of these areas, policy MIN 03 cannot be considered sound on the basis that it is not in accordance with the SPSS on the basis that the dPS has introduced policies to restrict minerals development with no provision for its viable sustainable extraction.

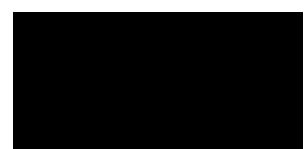
A summary of the SA Representations

53. Following a review of The Draft SA and associated evidence, we summarise our significant concerns as follows:
- 1.53.1 A continued failure of the SA to accurately convey the baseline situation with respect to minerals resource within the F&O plan areas and, as a result, a failure of the SA and dPS to develop reasonable, national policy compliant alternatives to facilitate the sustainable extraction of minerals
- 1.53.2 A failure of the SA to meet the requirements of the EAPP regulations with respect to the identification and selection/ rejection of reasonable alternatives for time limits upon minerals extraction and mineral safeguarding areas.

Recommendations to address the deficiencies in the SA process.


54. Given the deficiencies listed above, the following course of action is necessary to ensure a sound and legally compliant SA and dPS:
- 1.54.1 Update the baseline section of the SA to correctly reflect the scale of the nationally and globally significant mineral resources available within the F&O district. This will communicate the scale of the opportunity to all stakeholders

- 1.54.2 Develop a fresh set of reasonable alternatives to facilitate the sustainable extraction of mineral resources which includes correctly identifying the minerals safeguarding areas and further reasonable alternatives for the identification of time limits for minerals extraction
- 1.54.3 Undertake a fresh independent SA on the reasonable alternatives and consult on the revised material
- 1.54.4 Publish a refreshed dPS with supporting SA work to clearly demonstrate the process for the appraisal and selection/ rejection of reasonable alternatives.



**Appendix 3: Ashdown Forest Economic
Development Llp v Wealden District
Council, South Downs National Park
Authority**



Status:  Positive or Neutral Judicial Treatment

Ashdown Forest Economic Development Llp v Wealden District Council, South Downs National Park Authority

Case No: C1/2014/1148

Court of Appeal (Civil Division)

9 July 2015

[2015] EWCA Civ 681

2015 WL 4041943

Before: Lord Justice Richards Lord Justice McFarlane and Lord Justice Christopher Clarke

Date: Thursday 9th July 2015

On Appeal from the High Court of Justice Administrative Court

Mr Justice Sales

[2014] EWHC 406 (Admin)

Hearing date: 11 June 2015

Representation

David Elvin QC and Charles Banner (instructed by King Wood Mallesons LLP) for the Appellant.

Douglas Edwards QC and David Graham (instructed by Wealden and Rother Shared Legal Service) for the Respondents.

Judgment

Lord Justice Richards:

1 This appeal concerns a single policy in the Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan (“the Core Strategy”), adopted on 19 February 2013. The Core Strategy forms part of the statutory development plan for the administrative areas of Wealden District Council (“the Council”) and the South Downs National Park Authority. The Council had the main role in preparing it for adoption, and for convenience I will refer to the Council as the decision-maker.

2 The appellant is a corporate vehicle controlled by four landed estates whose property interests are affected by the Core Strategy. It brought a claim under [section 113 of the Planning and Compulsory Purchase Act 2004](#) (“the 2004 Act”) seeking to quash the Core Strategy in whole or in part. The claim was dismissed by Sales J (as he then was) on all grounds. Permission to appeal was subsequently granted by Lewison LJ, limited to a single ground.

3 The ground on which permission was granted concerns a policy in the Core Strategy relating to the protection of Ashdown Forest, which is a special protection area (“SPA”) designated under [Directive 2009/147/EC](#) on the conservation of wild birds, and a special area of conservation (“SAC”) designated under [Directive 92/43/EEC](#) on the conservation of natural habitats and of wild

fauna and flora (“the Habitats Directive”). The policy is numbered WCS12 and includes the following material passage:

“WCS12 Biodiversity

...

In order to avoid the adverse effect on the integrity of the Ashdown Forest Special Protection Area and Special Area of Conservation it is the Council's intention to reduce the recreational impact of visitors resulting from new housing development within 7 kilometres of Ashdown Forest by creating an exclusion zone of 400 metres for net increases in dwellings in the Delivery and Site Allocations Development Plan Document and requiring provision of Suitable Alternative Natural Green Space and contributions to on-site visitor management measures as part of policies required as a result of development at SD1, SD8, SD9 and SD10 in the Strategic Sites Development Plan Document. Mitigation measures within 7 kilometres of Ashdown Forest for windfall development, including provision of Suitable Alternative Natural Green Space and on-site visitor management measures will be contained within the Delivery and Sites Allocations Development Plan Document and will be associated with the implementation of the integrated green network strategy. In the meantime the Council will work with appropriate partners to identify Suitable Alternative Natural Green Space and on-site management measures at Ashdown Forest so that otherwise acceptable development is not prevented from coming forward by the absence of acceptable mitigation.”

4 The appellant challenges the policy in so far as it relates to new housing development within 7 km of Ashdown Forest, contending that it was adopted in breach of the Council's duty under [Directive 2001/42/EC](#) on the assessment of the effects of certain plans and programmes on the environment (“the SEA Directive”), as implemented by The [Environmental Assessment of Plans and Programmes Regulations 2004](#) (“the SEA Regulations”), to assess reasonable alternatives to a 7 km zone. The 400 metre exclusion zone is not challenged.

The legal framework

The plan-making process

5 The position of a core strategy within the statutory development plan and the statutory process for its adoption are summarised at paragraphs 10-18 of the judgment of Sales J. It is unnecessary to repeat any of that here. I should, however, note that the Council was under a duty to carry out a sustainability appraisal (“SA”) in respect of each successive draft of the Core Strategy and that the environmental assessments referred to below could lawfully be incorporated by reference within the SA.

The SEA Regulations

6 It is common ground that in preparing the Core Strategy the Council was required to carry out an environmental assessment in accordance with the SEA Regulations. [Regulation 12](#) provides:

“Preparation of environmental report

(1) Where an environmental assessment is required by any provision of [Part 2](#) of these Regulations, the responsible authority shall prepare, or secure the preparation of, an environmental report in accordance with paragraphs (2) and (3) of this regulation.

(2) The report shall identify, describe and evaluate the likely significant effects on the environment of –

- (a) implementing the plan or programme; and
 - (b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.
- (3) The report shall include such of the information referred to in [Schedule 2](#) to these Regulations as may reasonably be required”

The information referred to in [Schedule 2](#) includes, in paragraph 8:

“An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.”

7 [Regulation 13](#) provides that every draft plan or programme for which an environmental report has been prepared in accordance with [regulation 12](#) , and its accompanying environmental report, shall be made available for the purposes of consultation in accordance with provisions laid down by the regulation.

8 [Regulation 16](#) provides that as soon as reasonably practicable after the adoption of a plan or programme, the responsible authority shall take steps which include the provision of information as to “how environmental considerations have been integrated into the plan or programme” and “the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with”.

9 The requirement to assess reasonable alternatives applies most obviously to matters such as the type of development proposed or the selection of areas for development, as in *City and District Council of St Albans v Secretary of State for Communities and Local Government* [2010] JPL 10 ; *Save Historic Newmarket Ltd and Others v Forest Heath District Council* [2011] JPL 123 21 ; [Heard v Broadland District Council \[2012\] EWHC 344 \(Admin\), \[2012\] Env LR 23](#) ; and [R \(Buckinghamshire County Council and Others\) v Secretary of State for Transport \[2013\] EWHC 481 \(Admin\)](#) . It can relate to the plan or programme as a whole or to specific policies within the plan or programme. We were not taken to any case comparable to the present, where the requirement to assess reasonable alternatives is said to apply to a policy directed specifically towards ensuring that the environment is not harmed by development provided for by the plan; but there appeared to be no dispute between the parties that the requirement is capable in principle of applying to such a policy (or, therefore, to the 7 km zone in policy WCS12).

10 In *Heard v Broadland District Council* (cited above), at paragraphs 66-71, Ouseley J held that where a preferred option – in that case, a preferred option for the location of development – emerges in the course of the plan-making process, the reasons for selecting it must be given. He held that the failure to give reasons for the selection of the preferred option was in reality a failure to give reasons why no other alternative sites were selected for assessment or comparable assessment at the relevant stage, and that this represented a breach of the [SEA Directive](#) on its express terms. He also held that although there is a case for the examination of the preferred option in greater detail, the aim of the Directive is more obviously met by, and it is best interpreted as requiring, an equal examination of the alternatives which it is reasonable to select for examination alongside whatever may be the preferred option.

The Habitats Regulations

11 [Article 6\(3\) of the Habitats Directive](#) requires *inter alia* that any plan or project likely to have a significant effect on a designated site must be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The relevant implementing regulations are The [Conservation of Habitats and Species Regulations 2010](#) (“the [Habitats Regulations](#) ”), which make provision in [regulation 61](#) for the assessment of plans or projects generally, and in [regulation 102](#) for the assessment of land use plans. [Regulations 61 and 102](#) are in materially the same terms but I will quote the latter since it is the more obvious provision to apply to a core strategy:

“102. Assessment of implications for European sites and European offshore marine sites

(1) Where a land use plan –

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of the site's conservation objectives.

...

(4) In the light of the conclusions of the assessment, and subject to [regulation 103](#) (considerations of overriding public interest), the plan-making authority ... must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).”

12 This gives rise in practice to a two-stage process: (1) a screening stage, to determine whether there is a likelihood of significant effects on the relevant site(s) so as to require an appropriate assessment, and (2) unless ruled out at the screening stage, an appropriate assessment to determine in detail whether the plan will cause harm to the integrity of the relevant site(s). At the first stage, “likelihood” is equivalent to “possibility”. Advocate General Sharpston described the process as follows in her opinion in Case C-258/11, *Sweetman v An Bord Pleanala* [2013] 3 CMRL 16 :

“47. It follows that the *possibility* of there being a significant effect on the site will generate the need for an appropriate assessment for the purposes of [art. 6\(3\)](#) . The requirement at this stage that the plan or project be likely to have a significant effect is thus a trigger for the obligation to carry out an appropriate assessment. There is no need to *establish* such an effect; it is ... merely necessary to determine that there *may be* such an effect.

48. The requirement that the effect in question be ‘significant’ exists in order to lay down a *de minimis* threshold

49. The threshold at the first stage of [art. 6\(3\)](#) is thus a very low one. It operates merely as a trigger, in order to determine whether an appropriate assessment must be undertaken of the implications of the plan or project for the conservation objectives of the site. The purpose of that assessment is that the plan or project in question should be considered thoroughly, on the basis of what the Court has termed ‘the best scientific knowledge in the field’

50. The test which that expert assessment must determine is whether the plan or project in question has ‘an adverse effect on the integrity of the site’, since that is the basis on which the competent authorities must reach their decision. The threshold at this (the second) stage is noticeably higher than that laid down at the first stage”

The evolution of policy WCS12

13 The version of the Core Strategy submitted to the Secretary of State in August 2011 for independent examination by an inspector (the submission draft) included the following text under the heading "Environment":

"3.32 In accordance with advice from Natural England it will be necessary to reduce the recreational impact of visitors resulting from new housing development within 7 kilometres of Ashdown Forest by creating an exclusion zone of 400 metres for net increases in dwellings, requiring the provision of Suitable Alternative Natural Green Spaces (SANGS) in Uckfield and Crowborough and requiring contributions to on site management measures at Ashdown Forest"

14 That passage was not reflected in the specific policies of the draft and, in particular, did not feature in draft policy WCS12. The distinction between text and policy in a plan was considered in *R (Cherkley Campaign Limited) v Mole Valley District Council* [2014] EWCA 567, by reference to statutory provisions and policy guidance which, we were told, also governed the Core Strategy in the present case. I said at paragraph 16 of my judgment in the Cherkley case that the supporting text "is plainly relevant to the interpretation of a policy but is not itself a policy or part of a policy, it does not have the force of policy and it cannot trump the policy". Whilst Mr Elvin QC, for the appellant, was at pains to stress the distinction between text and policy, I do not think that it has any real importance for the present case.

15 At an early stage, the Secretary of State's inspector prepared a list of "matters, issues and questions". We have it in the form of a draft issued on 3 November 2011. It included:

"Matter 14: The Environment, Climate Change and Sustainable Construction (WCS12)

Main issue – Whether the Core Strategy makes appropriate provision for the protection of the natural environment and other environmental assets and for sustainable construction

- a) Has it been demonstrated that the Core Strategy would have no likely significant effects upon internationally important nature conservation sites?
- b) Has the proposed 400m 'exclusion zone' around the Ashdown Forest Special Protection Area (SPA) been justified by the evidence base?
- c) Has the proposed 7km zone around the Ashdown Forest SPA, within which contributions to Suitable Alternative Natural Green Spaces (SANGS) would be sought, been justified by the evidence base?
- d) Is there adequate evidence that the scale of SANGS required can be identified and are deliverable?"

16 Mr Elvin suggested that the inspector was not asking about consideration of alternatives to the 7 km zone because at that stage it did not form part of the policy; and he contrasted other "matters", such as the spatial strategies and the distribution and location of housing development, in respect of which the inspector did ask whether alternatives had been considered. I think that this is to attribute altogether too subtle a thought process to the inspector. The inspector referred to policy WCS12 in the heading to "Matter 14", and he raised the issue whether the Core Strategy made appropriate provision for the protection of the environment. I think it probable that he did not ask about alternatives to the 7 km zone because at that stage he did not think of it, not because the zone was referred to in the text rather than in the policy.

17 There were detailed responses by the Council and others to the questions asked, making no reference to the consideration of alternatives to the 7 km zone.

18 At a hearing on 19 January 2012 the inspector asked, in relation to question c) under Matter 14, whether the Council should consider alternatives to the Thames Basin Heath approach on

which, as explained below, the 7 km zone was based. The ensuing discussion centred on the validity of the Thames Basin Heath approach and did not take the question of alternatives any further.

19 In a letter to the Council dated 5 March 2012, the inspector referred to modifications to address the concerns he had with the Core Strategy. Some modifications had already been proposed by the Council but he considered further modifications to be necessary. In relation to the Ashdown Forest SPA he said this:

“22. The Habitats Regulations Assessment (HRA) has addressed the impacts of possible additional disturbance and urbanising effects from residential development on the SPA and indicates that it cannot be concluded that the CS would not lead to adverse effects on the ecological integrity of the SPA. Avoidance and mitigation measures are required including (i) a 400m zone around the SPA where residential development will not be permitted, (ii) a 7km zone where new residential development will be required to contribute to Suitable Alternative Natural Greenspaces (SANGs), and access strategy for the Forest and a programme of monitoring and research. The measures are regarded as critical infrastructure in the Infrastructure Delivery Plan (IDP). This approach is supported by NE [Natural England]. I am satisfied that it is justified by the evidence base (including the 7km zone which is broader than those used elsewhere but justified by local factors).

23. The main impact of these measures would be on the towns of Crowborough and Uckfield and villages within the buffer zones. I have seen evidence that there is a reasonable expectation that suitable SANGs could be provided relating to the SDAs [Strategic Development Areas] in the towns. There is a large supply of open spaces within the District, many under the ownership or management of town or parish councils. NE is confident that SANGs can be delivered. However, for windfall planning applications and smaller sites where SANGS cannot be provided on site there is the possibility that otherwise acceptable development might be delayed while suitable SANGs are identified and brought forward.

24. The CS does not refer to these measures in a policy but includes text suggested in the HRA in supporting justification. The Council has proposed a modification to the plan that would include a policy reference to them being taken forward in subsequent DPDs [Development Plan Documents]. The Strategic Sites DPD is not expected to be adopted until March 2014 and the Delivery and Site Allocations DPD in March 2015. To avoid otherwise acceptable development being delayed it is important that, with appropriate partners, the Council identifies suitable SANGs and develops an on-site management strategy for the Forest as soon as possible in accordance with the conclusions of the HRA. While accepting the general thrust of the Council's approach I propose to add a further modification to the policy to reflect this.”

20 The inspector's further modification was in substantially the form subsequently to be found in the adopted version of policy WCS12. It was duly included in a Proposed Modifications document issued for consultation in April 2012.

21 Whilst the responses to consultation included objections to the 7 km zone, they did not suggest that there had been any failure by the Council to consider reasonable alternatives to the 7 km zone. The nearest one gets is a response on behalf of one of the members of the appellant company which, *inter alia*, queried “whether in real terms enough assessment work has been done to explore other opportunities and mitigation measures to address this particular environmental issue”. By this stage, of course, any point that Mr Elvin had on the distinction between policy and supporting text had fallen away, since the 7 km zone was now proposed within the policy.

22 The inspector's report on the examination into the Core Strategy, dated 30 October 2012, contained passages substantially similar to those quoted above from his letter of 5 March 2012 and concluded that with the recommended main modifications set out in an appendix to the report, including materially the same modification to policy WCS12 as previously considered, the Core Strategy was sound.

The Habitats Regulations Assessment

23 The basis for the inclusion of a 7 km zone can be seen from the Assessment of the Core Strategy under the [Habitats Regulations](#) (“the Habitats Regulations Assessment”) which accompanied the submission draft of the Core Strategy in August 2011.

24 Paragraph 4.1 of that document referred to a screening process carried out during spring 2009, the findings of which had been endorsed by Natural England. According to paragraph 4.2, the screening exercise revealed that several European sites were at risk from negative effects and that the Core Strategy therefore required further assessment to establish whether there would be adverse effects on ecological integrity. Likely significant effects identified at that stage were summarised in a table (Table 4.1) which included two entries for the Ashdown Forest SPA. The relevant entry related to “disturbance” caused by the “development of 9,600 dwellings, esp. those to the north”. The pathway, as it was described, was “recreational pressure leading to increasing visitor activity”, and the receptors were identified as the Dartford warbler and the nightjar. Paragraph 4.2 stated further:

“It is possible that the findings of the screening exercise could be superseded upon more detailed analysis during the Appropriate Assessment stage. Wherever changes to screening findings are made, the decision and clear justification is set out in the relevant section of the Appropriate Assessment presented in Chapters Five to Eight.”

25 Paragraph 4.3 explained that the purpose of the appropriate assessment stage was “to further analyse likely significant effects identified during the screening stage, as well as those effects which were uncertain or not well understood and taken forward for assessment in accordance with the precautionary principle”. The assessment “should seek to establish whether or not the plan's effects, either alone or in combination with other plans or projects, will lead to adverse effects on site integrity”.

26 The key part of the document is chapter 6, headed “Disturbance: Ashdown Forest SPA”. The chapter first described the potential impact of increased visitor numbers on the ecological integrity of the site. In a lengthy section under the subheading “Other Considerations”, it referred to a field survey in 2008 which had examined visitor access patterns and had been the subject of further analysis to explore the relationship between visitor intensity and bird territories within the SPA. It then referred to “policy precedent” relating to the Thames Basin Heaths SPA, for which the relevant policy required that a minimum of 8 hectares of SANG should be provided for every 1,000 net increase in population as a result of new residential development within 5 km of the SPA, to offset the impact of increasing visitor pressure. It stated that the 5 km threshold “aims to ‘capture’ around three quarters of all visitors to the heaths, including 70% of drivers and all pedestrians”. Returning to Ashdown Forest, it described a model which could be used to predict the additional number of visitors to each access point, and therefore to the whole Forest, arising from the development of a specific number of dwellings in defined areas. It then explained in detail how the model was applied so as to reach a conclusion stated in these terms:

“At Ashdown Forest it is proposed that the threshold distance within which SANGs should be provided is set at **7km from the SPA boundary** (Figure 6.1). This is considered to be sufficient to capture a similar proportion of visitors to Ashdown Forest, as compared to the avoidance measures adopted in relation to the Thames Basin Heaths SPA.” (Emphasis in the original.)

27 Mr Elvin submitted, and I accept, that the process set out in that part of the chapter (and to be found more particularly in the detail I have omitted) was one of *extrapolation* so as to produce a result for the Ashdown Forest SPA – a 7 km zone – comparable to the 5 km zone adopted for the Thames Basin Heaths SPA. There was no consideration of a 5 km zone for the Ashdown Forest SPA as an *alternative* to a 7 km zone. Likewise, although the tables and figures looked at settlements located up to 15 km from the Ashdown Forest SPA, they did so only in the application of the model and as part of the process of extrapolation, not because a 15 km zone was under consideration as an alternative to a 7 km zone.

28 A little later, chapter 6 set out findings and recommendations:

“6.6 Appropriate Assessment Findings

Based on the information given above, **it cannot be concluded that the Core Strategy will not lead to adverse effects on the ecological integrity of Ashdown Forest SPA** if allowed to proceed unchecked. In accordance with the precautionary principle, avoidance and/or mitigation measures are required to remove or reduce the effects.

6.7 Recommendations

A series of avoidance and mitigation measures are recommended in **Table 6.3** , which aim to eliminate the risk of adverse effects at the Ashdown Forest SPA

6.8 Residual and In Combination Effects

It is considered that, subject to the measures outlined in **Table 6.3** being successfully adopted and implemented, effects connected with increasing recreational pressure can be satisfactorily avoided and reduced. Assuming this is the case, there are no further effects associated with the Core Strategy in relation to disturbance, and therefore the plan can **proceed to adoption without further tests under the [Habitats Regulations](#)** in this respect. As assessment of in combination effects is not required, because the effects of the Core Strategy are removed.” (Emphasis in the original.)

The recommendations in Table 6.3 included, in substance and so far as material, the provisions relating to a 7 km zone that were subsequently included in policy WCS12.

29 In a later chapter summarising recommendations and outcomes, it was stated at paragraph 9.2 that the report demonstrated that adverse effects associated with the Core Strategy in relation to, *inter alia* , disturbance from recreation at the Ashdown Forest SPA “can be overcome provided the avoidance and mitigation package presented in Table 9.1 [which included the 7 km zone] is successfully adopted and implemented”.

30 The conclusion reached in the [Habitats Regulations](#) accorded with the advice of Natural England. The notes of a meeting between Natural England, the Council and the Council's environmental consultants on 8 June 2010 recorded that Natural England would object to a housing allocation within 400 metres of the Ashdown Forest SPA and that:

“In addition, any net increase in dwelling numbers within 7 kilometres of the Ashdown Forest will require the provision of SANGs with the provision of 8 hectares of land per net increase of 1000 population”

31 Similarly, in a letter to the Council dated 15 April 2011 and commenting on the proposed submission draft of the Core Strategy, Natural England stated:

“We support Sections 3.30 to 3.33 on the Environment and the broad mitigation measures that will be required in order to avoid likely significant effects on designated sites. We feel that the proposed avoidance and mitigation measures of SANGS and contributions for onsite access management will ensure that housing within 7 km will not have a likely significant impact on Ashdown Forest”

The judgment of Sales J

32 The Habitats Regulations Assessment was at the centre of the reasons given by Sales J for

rejecting the appellant's case that the Council, in breach of the requirement in [regulation 12\(2\)\(b\) of the SEA Regulations](#) , had failed to consider reasonable alternatives to the 7 km zone.

"106. ... As the Commission guidance at para. 4.7 and the court in *Save Historic Newmarket Ltd* at [15] and in *Heard v Broadland DC* at [12] explain is permissible, the Habitats Regulations Assessment was issued with and incorporated by reference into the Sustainability Appraisal and hence into the environmental report required under the SEA Directive and the Environmental Assessment Regulations; and in the Sustainability Appraisal itself, WDC [Wealden District Council] made clear that it adopted the protection recommendations set out in the Habitats Regulations Assessment. Chapter 6 of the Habitats Regulations Assessment contained a detailed discussion of the issue of disturbance of wildlife at Ashdown Forest through increased recreational pressure associated with new residential development in its vicinity. The protective 7 km SANG zone was stated by WDC's expert environmental consultants to be required to avoid harm to the Ashdown Forest protected site from increased residential development, and this was also the advice of Natural England.

107. The basis for this requirement was set out in the Habitats Regulations Assessment

108. Accordingly, in my view, the principled reasoning and evidence base which justified the selection of a protective zone set at 7 km were clearly set out in the relevant environmental report. Indeed, on a fair reading of the Habitats Regulations Assessment/environmental report I think one could say that three alternatives had been canvassed (a 5 km zone in accordance with the precedent at the Thames Basin Heaths; a 15 km zone; and a 7 km zone), and that clear reasons had been given for selecting the 7 km solution chosen to be included in the Core Strategy, namely that the Thames Basin Heaths protective zone was considered to provide a good model for controlling increased visitor numbers to the precautionary level considered appropriate by experts and that an extension of the protective zone around Ashdown Forest to 7 km was assessed to be necessary to provide the same level of protection. Read in this way, I think that the Habitats Regulations Assessment did in fact include a comparative assessment to the same level of detail of the preferred option (a 7 km zone) and two reasonable alternatives, a 5 km zone and a 15 km zone.

109. But even if one does not read the Habitats Regulations Assessment in that way, but rather just as a principled set of reasons for choosing a 7 km protective zone, in line with Mr Pereira's submissions, the reasons given explain clearly why that solution was chosen and, by clear implication, why other solutions were not chosen. Adjusting para. [70] of Ouseley J's judgment in *Heard v Broadland DC* for the circumstances of this case, the reasons given for selecting the 7 km protective zone as the relevant mitigation measure were in substance the reasons why no other alternatives were selected for assessment or comparable assessment. No other alternative would achieve the objectives which the 7 km zone would achieve. Again, the objectives of the [SEA Directive](#) to contribute to more transparent decision-making and to allow contributions to the development of a strategic plan by the public have been fulfilled in the circumstances of this case. WDC had explained the reasons for choosing a 7 km zone and members of the public were in a position to challenge those reasons and WDC's assessment during the examination of the proposed Core Strategy, should they wish to do so.

110. Mr Elvin sought to suggest that WDC should have commissioned further work to assess other possible options which might have resulted in equivalent visitor densities in relation to bird population density as between Ashdown Forest and the Thames Basin or Dorset Heaths. I do not accept this suggestion. As the Habitats Regulations Assessment made clear, it was largely unknown exactly how and to what extent increased recreational visits might affect the protected bird populations, and any attempt to marry up visitor densities and bird densities in such a precise way would have been a spurious and potentially misleading exercise, which would not have met the points made by WDC's expert environmental advisers and Natural England. Neither of them suggested that there was any alternative which might be suitable and which should be

examined further. A decision-maker is entitled, indeed obliged, to give the views of statutory consultees such as Natural England great weight: see [Shadwell Estates Ltd v Breckland DC \[2013\] EWHC 12 \(Admin\)](#), at [72]. No-one else raised any sustained or developed argument in the course of the iterative process of development of the Core Strategy in favour of a different solution. WDC was entitled to proceed to adopt the solution proposed by both Natural England and its own expert advisers without seeking to cast around for other potential alternatives to examine. To have done so would have been a completely artificial exercise in the circumstances.

...

112. In these proceedings, the Claimant has adduced evidence from Karen Colebourn, an ecological consultant, giving her opinion about possible mitigation measures “which may be suitable at Ashdown Forest”, including decreasing car park capacity or increasing the cost of parking, creation of special dog exercise areas, provision of information and education for dog owners and improvement of strategic walking routes. This is opinion evidence put forward not in the context of the iterative process resulting in adoption of the Core Strategy, but well after the event. No concrete, worked through proposals are set out and there is no evidence to suggest that such measures would actually work by themselves. I accept Mr Pereira's submission that it cannot sensibly be contended on the basis of Ms Colebourn's evidence that no reasonable planning authority would have failed to identify these as “reasonable alternatives” so as to be obliged to assess such ideas or their efficacy in the Sustainability Appraisal. I am fortified in this view by the fact that the Inspector did not consider that further assessment work was required in relation to this part of the Core Strategy.”

The appellant's case

33 The appellant's essential case, as I have said, is that there was a failure to comply with the duty under [regulation 12 of the SEA Regulations](#) to assess reasonable alternatives to the 7 km zone.

34 Mr Elvin's main submission is that the judge was wrong to rely as he did on the Habitats Regulations Assessment as meeting the appellant's complaint on this issue. It was not the function of that assessment to consider alternatives, and the exercise undertaken did not in fact involve any consideration of alternatives. The focus of the exercise was the elimination of risk: the 7 km zone was recommended as one of the avoidance and mitigation measures “which aim to eliminate the risk of adverse effects at the Ashdown Forest SPA” (paragraph 6.7). For that purpose it was sufficient to conclude that the 7 km zone, in conjunction with other measures that are not in issue, would eliminate the risk of adverse effects. The question whether it was necessary to go that far to eliminate the risk, or whether the risk could be eliminated by other means, was not posed. There was simply no discussion of alternatives.

35 Mr Elvin submitted that the judge was wrong to find that the reasons why alternatives were not chosen were implicit in the reasons given for choosing a 7 km zone: given the nature of the exercise (the ruling out of risk), the choice of a 7 km zone did not mean that there were no alternatives. In any event, he submitted that reasons have to be *explicit*, not implicit, in order to meet the requirements of the [SEA Regulations](#).

36 As to alternatives that might have been considered, Mr Elvin referred to two types of possibility. One involved variants on the approach based on the Thames Basin Heaths precedent, producing a different radius from the 7 km adopted. The other avoided a zonal approach and involved alternative means of mitigating the additional recreational pressure arising from new development. He submitted that the fact that such alternatives were not raised at the time by the appellant or other objectors was immaterial, since the duty was on the Council to consider reasonable alternatives and to consult on them.

The Council's case

37 Mr Edwards QC submitted that under [regulation 12 of the SEA Regulations](#) a local planning

authority, as the primary decision-maker, has a *discretion* to identify what, if any, reasonable alternatives there are. This is a matter of judgment, informed by the objectives of the plan (see [regulation 12\(2\)\(b\)](#)). Reasonable alternatives can be considered at different levels: alternatives to the plan as a whole, or to specific elements or policies within it. How far to drill down into the plan for the purpose of identifying alternatives is itself a matter of judgment. In respect of its decision with regard to reasonable alternatives, an authority “has a wide power of evaluative assessment, with the court exercising a limited review function” (per Sales J in the judgment under appeal, at paragraph 91; see also, most recently, [R \(Friends of the Earth\) v Welsh Ministers \[2015\] EWHC 776 \(Admin\)](#) , per Hickinbottom J at paragraphs 85-89). Any decision as to whether there are reasonable alternatives and what those alternatives are is subject to challenge on normal public law principles. Only where the authority judges there to be reasonable alternatives is it necessary for it to carry out an evaluation of their likely significant effects on the environment, in accordance with [regulation 12\(2\) and paragraph 8 of Schedule 2](#) . Where the authority reasonably concludes that there are no reasonable alternatives, no such evaluation is needed.

38 Mr Edwards pointed to the clear advice of Natural England that a 7 km zone would be “required”, which in his submission provided important context for the Council's approach. He also pointed out that there was no suggestion in any of the responses to consultation that the Council should take a different approach towards protection of the Ashdown Forest SPA: no tangible alternative approach was put forward.

39 Mr Edwards took us through the detail of the relevant part of the Habitats Regulation Assessment. In his submission, it was “pretty obvious” that the Council, having started from a 5 km zone, recognised that this would not provide sufficient protection and rejected it; and it was plain that the Council also considered a 15 km zone, which can be seen on the plans albeit not mentioned in the text. Thus it was “pretty obvious” that in using the Thames Basin Heaths approach and setting the zonal figure at 7 km for the Ashdown Forest SPA, the Council was of the view that anything less than 7 km would not achieve the necessary protection and anything more would be unnecessary. The reasons for selecting the preferred option may themselves tell you why alternatives are considered to be unrealistic.

40 In Mr Edwards's submission, it was not unreasonable for the Council not to consider either of the two types of possible alternatives suggested by Mr Elvin. It was not unreasonable to adopt the specific approach based on the Thames Basin Heaths SPA precedent, having regard *inter alia* to the advice given by Natural England and by the Council's own consultants and to the fact that the consultation on this approach did not produce any suggestion of a different approach. As to on-site mitigation, the adopted policy referred to on-site visitor management measures in combination with the provision of SANGs, and it was not unreasonable in the circumstances to consider such measures as complementary rather than as an alternative to a zonal approach. Mr Edwards also advanced a point that the power to control access to, and to manage, Ashdown Forest lies with the Conservators and not with the Council; but he accepted that this would take him nowhere if the Conservators agreed to the course of action proposed and he sensibly did not pursue the point.

41 Mr Edwards also relied on the inspector's final report, with its finding that the relevant procedural requirements were met and its endorsement of the soundness of the Core Strategy.

Discussion

42 I accept Mr Edwards's submission that the identification of reasonable alternatives is a matter of evaluative assessment for the local planning authority, subject to review by the court on normal public law principles, including *Wednesbury* unreasonableness. In order to make a lawful assessment, however, the authority does at least have to apply its mind to the question. A fundamental difficulty faced by the Council in the present case, and not satisfactorily addressed in Mr Edwards's submissions, is that there is in my view no evidence that the Council gave *any* consideration to the question of reasonable alternatives to the 7 km zone. If the Council had formed a judgment that it was not appropriate to “drill down” into the plan as far as the specific details of policy WCS12 for the purpose of identifying alternatives, or that there were no reasonable alternatives to the 7 km zone, then it would be in a relatively strong position to resist the appellant's claim. But in the absence of any consideration of those matters, it is in a very weak position to do so.

43 The witness statements of Ms Marina Briggingshaw, the Council's Planning Policy Manager, describe in some detail the process leading to the adoption of the Core Strategy and engage with a variety of specific points raised in the evidence of the appellant, but they do not suggest at any point that the Council did consider the question of reasonable alternatives to the 7 km zone.

44 The Council's case that the question of reasonable alternatives was considered depends on inferences to be drawn from the Habitats Regulations Assessment. As to that, however, it seems to me that the points made by Mr Elvin are well founded.

45 First, it was not the function of the Habitats Regulations Assessment to consider alternatives. What mattered for the purposes of that assessment was that the Core Strategy should not lead to any adverse effects on the integrity of the Ashdown Forest SPA. The avoidance and/or mitigation measures recommended in it were put forward in accordance with the precautionary principle with the aim of *eliminating the risk* of adverse effects. They were considered to meet that aim. It does not follow that there were no alternative means of ensuring the necessary protection of the SPA.

46 Sales J took the view, at paragraph 108 of his judgment, that on a fair reading of the Habitats Regulations Assessment three alternatives had been canvassed: a 5 km zone in accordance with the Thames Basin Heaths precedent, a 7 km zone, and a 15 km zone. With respect, and as already indicated at paragraph 27 above, I do not accept that the report can be read in that way. The report did not consider the 5 km as an alternative to a 7 km zone but simply as the starting point for a process of extrapolation leading to the 7 km zone. Nor was there any suggestion of a 15 km zone as an alternative: a 15 km radius was simply used in the course of the process of extrapolation leading to the 7 km zone.

47 Sales J's alternative analysis, at paragraph 109 of his judgment, is that if the report is to be read just as a principled set of reasons for choosing a 7 km zone, "the reasons given explain clearly why that solution was chosen and, by clear implication, why other solutions were not chosen". Again, I respectfully differ from the judge's view. It comes back to the same point about the purpose of the Habitats Regulations Assessment and the nature of the exercise undertaken in it. It was sufficient that the measures recommended in it, including the 7 km zone, would eliminate the risk of adverse effects on the Ashdown Forest SPA. The reasons why the 7 km zone would serve that purpose did not amount by necessary implication to reasons why there were no alternative means of ensuring the necessary protection of the SPA. The report did not state or suggest that nothing short of a 7 km zone would suffice or that no other measures were possible. The report simply explained why a 7 km zone was considered to meet the aim of eliminating the risk.

48 I should add for completeness that I do not accept that anything turns on the advice of Natural England that any net increase in dwelling numbers within a 7 km zone would "require" the provision of SANGs. In my view, this cannot be read as advice that the 7 km zone was the only option available, nor is there any evidence that the Council treated it as such. Nor do I accept that anything turns on the inspector's endorsement of the soundness of the Core Strategy.

49 In those circumstances it is unnecessary to examine Mr Elvin's submission that reasons have to be explicit in order to meet the requirements of the [SEA Regulations](#). The primary reason why Lewison LJ granted permission to appeal was that the appellant's case on this point had a real prospect of success. Anything we said on it would, however, be *obiter* and in my view the point is better left for consideration when a decision on it is needed.

50 At paragraph 110 of his judgment, Sales J pointed to the fact that neither Natural England nor the Council's environmental consultants suggested that there was any alternative that might be suitable and should be examined further, nor did anyone raise sustained or developed argument in favour of a different solution in the course of the iterative process of development of the Core Strategy. I find this a particularly troubling feature of the appellant's case, only marginally lessened by the fact that the inspector did at one point ask whether the Council should consider alternatives to the Thames Basin Heath approach (see paragraph 18 above). But it seems to me that Mr Elvin is correct in his submission that it was the duty of the Council to consider the question of reasonable alternatives. If the Council had considered the question, it might have concluded, in the absence of any suggestions to the contrary, that there were no reasonable alternatives, and have given reasons in support of that conclusion. The fact that nobody suggested alternatives cannot, however, validate the Council's failure to consider the question at

all.

51 My conclusion, arrived at with a degree of reluctance, is that policy WCS12, in so far as it relates to the 7 km zone, was adopted in breach of the duty under [regulation 12 of the SEA Regulations](#) relating to the assessment of reasonable alternatives. That makes it necessary to consider the question of relief.

Relief

52 In terms of general approach to the question of relief, Mr Elvin accepted that the court retains its traditional discretion in the matter, provided that the substance of a claimant's EU rights is met. He referred to [Walton v Scottish Ministers \[2012\] UKSC 44, \[2013\] PTSR 51](#), in which Lord Carnwath considered the EU authorities, in particular Case C-201/02, [R \(Wells\) v Secretary of State for Transport, Local Government and the Regions \[2005\] All ER \(EC\) 323](#) and Case C-41/11, *Inter-Environnement Wallonie ASBL v Region Wallonne* [2012] 2 CMLR 623, and concluded:

“138. It would be a mistake in my view to read these cases as requiring automatic ‘nullification’ or quashing of any schemes or orders adopted under the 1984 Act where there has been some shortfall in the SEA procedure at an earlier stage, regardless of whether it has caused prejudice to anyone in practice, and regardless of the consequences for wider public interests. As Wells ... makes clear, the basic requirement of European law is that the remedies should be ‘effective’ and ‘not less favourable’ than those governing similar domestic situations. Effectiveness means no more than that the exercise of the rights granted by the Directive should not be rendered ‘impossible in practice or excessively difficult’. Proportionality is also an important principle of European law.

139. Where the court is satisfied that the applicant has been able in practice to enjoy the rights conferred by the European legislation, and where a procedural challenge would fail under domestic law because the breach caused no substantial prejudice, I see nothing in principle or authority to require the courts to adopt a different approach merely because the procedural requirement arises from a European rather than a domestic source.”

53 Mr Elvin submitted that the non-compliance with the requirements of EU law, as implemented in the [SEA Regulations](#), was in this case one of substance. He pointed in this connection to the late stage at which the 7 km zone became part of policy WCS12, as distinct from the text of the Core Strategy, and the late opportunity for consultation on it in that form; a point to which I attach little weight, since there was in reality an opportunity to raise concerns about it in response to consultation on the draft Core Strategy even when the 7 km zone featured only in the text, not in the policy.

54 More important is Mr Elvin's submission that it cannot be said that a quashing order and a requirement to reconsider the issue of reasonable alternatives would make no difference. That submission brings in reference to some material that I have not covered so far or have touched on only incidentally. First, the first witness statement of Ms Karen Colebourn, an ecological consultant instructed by the appellant, sets out various measures which in her opinion may be suitable at Ashdown Forest and expresses the view that “there were no ‘knock-out’ reasons why any or all of these measures could properly have been discounted without assessment on the basis that they were not reasonable alternatives to a 7 km SANGS zone”; and her second witness statement contains an extended critique of the Council's failure to assess alternatives. Sales J refers to that evidence at paragraph 112 of his judgment. I agree with Sales J that the evidence does not assist the appellant's case that the Council was in breach of duty. In the context of relief, however, it does indicate that the possibility of reasonable alternatives cannot be dismissed out of hand.

55 Secondly, there is evidence that the effect of policy WCS12 has been to prevent new residential development within the 7 km zone because of the unavailability of SANGs and notwithstanding the willingness of developers to make a financial contribution towards the

provision of SANGs. The delay caused by the absence of SANGs provision is a matter of real concern.

56 Thirdly, Natural England's own stance has changed, at least partly in reaction to this concern. This appears from correspondence with the Council on which Ms Colebourn relies in her second witness statement. In a letter of 15 April 2013, Natural England stated:

"We are aware that the current approach is a matter of concern, and that the SANGS requirement in particular is seen by developers as an obstacle to housing delivery. Our expectation is that a combination of different measures would be most effective in protecting the forest from the effects of an increase in recreational disturbance but we are mindful that reliance on SANGS for this does present a risk of delay in putting in place a scheme which would streamline the granting of planning permission for housing. In order to avoid such a delay, our advice is that a strategic scheme of avoidance and mitigation measures can be put in place, in a phased approach, so that at no point is it necessary to refuse planning permission on strategic (non case specific) grounds relating to recreational disturbance on the SPA and SAC.

Our understanding is that in the next two to three years, approximately about 800 houses are likely to come forward in your two authority areas and figures have been provided to indicate that this will increase visitor numbers on the forest by about 1.7%

In order to ensure that we are aware of the options to safeguard the SPA and SAC which will be least burdensome to developers, we have explored with the Conservators of Ashdown Forest their views on access management and monitoring. They have indicated to us that in principle they would be willing to take on additional resources, as part of a broader programme of measures, to increase the level of monitoring and wardening on the forest. Our advice is that this could be made sufficient to address at least the potential increase in visitor numbers on the scale indicated above

Early implementation of a scheme for increased monitoring and wardening would not only have benefit itself in enabling development to proceed, but with the monitoring built in, it should also provide information to inform the balance of measures put in place over the longer term. This would help to ensure their effectiveness in safeguarding the SPA and SAC, at lowest cost to development."

57 In a letter of 21 June 2013, Natural England made clear that its suggestion for bringing forward what it described as "Strategic Access, Management and Monitoring (SAMM)" as an interim solution to release some limited development was not intended to unpick the measures in the Core Strategy regarding SAMMs and SANGs but that "the two schemes are intended to be complementary and we consider that no part of policy WCS12 prevents them from being introduced in a phased way".

58 All of this suggests that there is scope for consideration of possible alternatives to the 7 km zone, whether in terms of an interim approach to enable development within the 7 km zone to proceed pending the availability of the SANG required by the existing policy, or in terms of an approach departing altogether from a 7 km zone. It tells strongly in favour of the grant of the relief sought by the appellant. Moreover, to quash the relevant part of policy WCS12 would not leave a serious lacuna in protection pending adoption of a replacement policy. Development would still be subject to the screening/assessment requirements of [regulation 61 of the Habitats Regulations](#); and if the avoidance of adverse effects on the Ashdown Forest SPA could only be achieved by the provision of SANG, a requirement to that effect could be imposed on a site-specific basis. It seems to me that that is a more appropriate approach than to rely on a point made by Mr Edwards, that if policy WCS12 is retained in its existing form, it will remain open to an applicant for planning permission to adduce evidence to persuade the authority that the proposed development is certain not to harm the Ashdown Forest even without the provision of SANG.

59 I have considered the various other points in Mr Edwards's skeleton argument upon which he relied in support of the submission that there should be no quashing order. I think it unnecessary

to list them. In my view none of them has any significant weight.

60 In conclusion, I am satisfied that we should grant the quashing order sought by the appellant, limited to the part of policy WCS12 relating to the 7 km zone. The precise form of order can be left for agreement between counsel or can be the subject of written submissions in the event of disagreement.

Lord Justice McFarlane:

61 I agree.

Lord Justice Christopher Clarke:

62 I also agree.

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**Appendix 4: LA10/2017/01249/F Landscape &
Visual Impact Assessment**



Curraghinalt Project County Tyrone

Prepared for Dalradian Gold Limited

Environmental Statement - Volume 3

**C16 Landscape and Visual Impact
Assessment and Visualisations**

November 2017

DALRADIAN
GOLD

Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Volume I: Main Report

**Prepared for Dalradian Gold Limited
October 2017**



SPCDPS023 - Appendix 1

Project Title: Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Client: Dalradian Gold Limited

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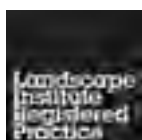
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Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Volume I: Main Report

Prepared for Dalradian Gold Limited

October 2017



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1 Introduction

- 1.1 LUC (Land Use Consultants Ltd.) was commissioned by SRK Consulting Ltd. to undertake a Landscape and Visual Impact Assessment (LVIA) for the Curraghinalt Project in Co. Tyrone, Northern Ireland, on behalf of Dalradian Gold Limited (DGL).
- 1.2 This report details the approach and methodology for the assessment of landscape and visual effects, including cumulative effects, and a background on the legislation and policy in Northern Ireland referred to by the competent authorities responsible for the protection of landscape and visual amenity.
- 1.3 The report also details the existing baseline conditions of the project area and the surrounding environs of the agreed study area, in relation to landscape and visual amenity, describing the existing landscape character and potential visual receptors (people). The study area for the assessment of landscape and visual effects is shown on **Figure 1.1**.
- 1.4 The assessment of effects examines the potential of the Curraghinalt Project and related construction, operation and closure/restoration activities to cause landscape and visual effects, as well as cumulative effects alongside other developments across the study area, and makes recommendations as to how these effects can be avoided or reduced in the detailed design process. It also details mitigation measures for restoration following closure of the proposed project.
- 1.5 The assessment focuses on the potential landscape and visual effects associated with the above ground infrastructure of the project site defined within the proposed infrastructure site (Area A) located on the south side of the broad ridge formed by Mullydoo, Crocknamoghil and Crockanboy Hill, north-west of Greencastle. The assessment does not consider potential landscape and visual effects associated with the proposed retention of the existing surface infrastructure site (Area C) located on the north side of the ridge, alongside Camcosy Road, although it acknowledges its associated post-closure and restoration effects.
- 1.6 The assessment forms part of the Environmental Impact Assessment (EIA) for the Curraghinalt Project and should be read in conjunction with the Environmental Statement (ES)¹.

¹ Environmental Statement for the Curraghinalt Project, Northern Ireland, 2017

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2 Approach to the Assessment

Background to the Assessment

- 2.1 The assessment considers the potential effects of the Curraghinalt Project on the landscape and visual resources of the project area and the surrounding study area for the LVIA, during construction and operation, and post-closure and restoration of the site.
- 2.2 The assessment considers the potential effects on:
- the landscape as a resource in its own right (caused by changes to the constituent elements of the landscape, its specific aesthetic or perceptual qualities and the character of the landscape);
 - views and visual amenity as experienced by people (caused by changes in the appearance of the landscape).
- 2.3 The assessment deals with landscape and visual effects separately, followed by an assessment of cumulative landscape and visual effects, which considers the proposed project in addition to other developments which are existing, consented or proposed in the study area². The assessment is supported by a series of figures.
- 2.4 The assessment has been undertaken by Chartered Landscape Architects (Chartered Members of the Landscape Institute (CMLI)) at LUC with extensive experience in the assessment of landscape and visual effects.

Scope of the Assessment

Effects Assessed in Full

- 2.5 The key objective of the assessment is to identify and assess the likely significant landscape and visual effects associated with the proposed project. This emphasis on identifying significant effects is supported by the EIA regulations³ and relevant guidance⁴, and these are assessed in full.
- 2.6 Effects on the landscape include physical changes to the landscape as well as changes in landscape character. They may also include effects on areas designated for their scenic or landscape qualities, at a national or local policy level. Effects on visual amenity relate to changes in views resulting from the introduction of the Curraghinalt Project into those views. Effects on landscape and visual receptors (including residents, motorists and recreational users) may also include changes in relation to the interaction between the Curraghinalt Project and other existing, consented or proposed projects (cumulative effects).
- 2.7 As such, all potentially significant landscape and visual effects, as well as cumulative landscape and visual effects, are examined, including those relating to construction (short-term, typically lasting less than three years), operation (medium-term, lasting between 3-20 years) and closure/restoration (long-term, typically lasting more than 20 years).

² It is noted that there remains uncertainty as to whether all of the developments considered in the CLVIA will be built in due course, however, the assessment assumes a 'maximum case effect' scenario where all developments are constructed.

³ The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015

⁴ Landscape Institute and the Institute of Environmental Management & Assessment (Third Edition, 2013) Guidelines for Landscape and Visual Impact Assessment.

- 2.8 The following effects resulting from the introduction of the Curraghinalt Project are assessed in full:
- Effects on the landscape resources, including physical changes to the landscape of the site;
 - Effects on the perceived landscape character of the Landscape Character Areas (LLCAs) within the study area;
 - Effects on areas designated for their scenic or landscape qualities, at a national or local level;
 - Effects on views and visual amenity, extending to examination of changes in views arising from the introduction of the Curraghinalt Project components in those views; and
 - Effects on landscape and visual receptors resulting from changes in relation to the interaction between the Curraghinalt Project and other existing or proposed projects of a similar nature or scale (cumulative impacts).

Effects Scoped Out

- 2.9 On the basis of desk and field based work, initial assessment, the professional judgement of the LVIA team and experience from other relevant projects, the following potential effects have been 'scoped out' of the assessment of landscape, visual and cumulative effects:
- The underground proposed mineral extraction area (Area B) and mineral exploration area (Area E) will not give result in above surface changes which may result in landscape and visual effects;
 - This feasibility study explores the potential landscape and visual implications of alternative sized turbines defined as four distinct development scenarios. These scenarios (Scenario 1-4) were agreed in collaboration with EDF/LWP prior to the progression of the study and are outlined in more detail in Table 2.2 below.
 - Due to the alternative turbine sizes and parameters, most notably the considerable change in the minimum turbine spacing in comparison to the consented schemes being considered within each scenario, the existing consented turbine locations are unlikely to be appropriate for the same or similar total number of turbines;
 - Effects on landscape and visual receptors associate with the temporary passing bays and HGV turning area (Area D) located along Camcosy Road have not been assessed as it is judged that potential significant landscape or visual effects are unlikely to occur in relation to these temporary works during the construction phase of the project;
 - Effects on landscape and visual receptors beyond around 15km from the outermost components of the Curraghinalt Project, where it is judged that potential significant effects are unlikely to occur;
 - Locations where receptors are unlikely to be affected by the Curraghinalt Project, through having minimal or no predicted visibility, as predicted by the Zone of Theoretical Visibility (ZTV);
 - Cumulative visual effects on views from residential property groups within approximately 3km of the project site, from which significant additional cumulative visual effects are considered unlikely to occur; and
 - Cumulative effects in relation to other developments located beyond 15km from the Curraghinalt Project.

Guidance

- 2.10 The landscape and visual impact assessment (LVIA) has been carried out in accordance with current policy and best practice guidelines. Referenced guidance and data sources used are set out below.

Methodology Guidance

- Landscape Institute and the Institute of Environmental Management & Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3);
- Landscape Institute (2011) Advice Note 01/11 Photography and photomontage in landscape and visual impact assessment;
- Landscape Institute (2017) Technical Guidance Note 02/17 Visual representation of development proposals;
- Scottish Natural Heritage, 2012. Assessing the Cumulative Impact of Onshore Wind Energy Developments⁵;
- Natural England (2014) An approach to landscape character assessment;
- Countryside Agency and SNH (2002) Landscape Character Assessment Guidance for England and Scotland⁶;
- Scottish Natural Heritage (2017) Visual Representation of Wind Farms - Version 2.2⁷; and
- Department for Communities and Local Government (2014) Minerals Practice Guide.

Landscape Character Assessments/Information

- LUC (Land Use Consultants) in association with Mullin Design Associates and Julie Martin Associates (2015) Northern Ireland Regional Landscape Character Assessment (NIRLCA);
- Environmental Resources Management (1999) Northern Ireland Landscape Character Assessment, Environment and Heritage Service Research and Development Series No. 99/1-26; and
- Fermanagh and Omagh District Council (December 2015) Position Paper 14: Landscape Character Assessment.

Data Sources

- 2.11 The landscape and visual impact assessment (LVIA) was informed by data gathered from the below sources:
- Base mapping (1:100,000 and 1:50,000 maps);
 - Field surveys and baseline site photography;
 - Aerial imagery;
 - Computer generated Zones of Theoretical Visibility (ZTVs);
 - Computer modelled images (3D model views (wirelines) and photomontages); and
 - Baseline information from other associated environmental disciplines within the EIA.
- 2.12 Sources used for the modelling of potential visibility included the following digital data:
- 3-D Topography information at 5m contour intervals; and
 - 3-D Topography information at 25m contour intervals.

⁵ Scottish guidance for assessing the cumulative impact of wind farms, but methodology is applicable and referenced within GLVIA3

⁶ Although prepared mainly for use in England and Scotland, the guidance listed is equally applicable in Northern Ireland, where there is no equivalent existing guidance

⁷ Scottish guidance for production of visualisations of wind farms, but methodology is applicable for other types of development

Visualisations and Modelling

- 2.13 The methodology for production of the visualisations was based on current good practice guidance. Detailed information about the approach to viewpoint photography, and Zone of Theoretical Visibility (ZTV) and visualisation production is provided in **Appendix 2**.

Consultation

- 2.14 To inform the approach, consultation was undertaken with the relevant statutory authorities during scoping for the EIA and preparation of the LVIA.
- 2.15 Until midway through 2016 the statutory authority in Northern Ireland with responsibility for the natural environment and for planning matters with relevance to the protection of the landscape and of visual amenity was the Department of the Environment (DOENI), which included the Northern Ireland Environment Agency (NIEA). However, these departments were replaced by the Department of Infrastructure (DfI) Strategic Planning Division (SPD) and the Department of Agriculture, Environment & Rural Affairs (DAERA), the latter of which now encompasses the environmental functions from the former DOENI.
- 2.16 Consultation was carried out regarding the selection of viewpoints, methodology and other developments to be considered for the LVIA and Cumulative LVIA, in addition to the EIA scoping consultation undertaken by SRK Consulting.
- 2.17 Details of consultation and issues raised during consultation, specifically relating to the LVIA, are set out in **Table 2.1** below.

Table 2.1 Consultation Correspondence

Scoping/Other Consultation	Issue Raised by Consultee	LUC Response/Action Taken
DfI SPD (formerly DOE) and/or DAERA (formerly NIEA)		
Formal Scoping Consultation (Scoping report submitted December 2015)	Summary of Scoping Responses received from Statutory Consultees found in the main Curraghinalt Project ES	Responses to matters raised by consultees during Scoping are summarised in the main Curraghinalt Project ES
Pre-Application Discussions / Technical Meeting: Landscape & Visual Impact Assessment (18 th January 2016)	<p>Lynda Connolly (LC) and John Lennon (JL) attended for NIEA. LC and JL made the following observations:</p> <p>LC confirmed that there is no past or current management plan for the Sperrin Area of Outstanding Natural Beauty (AONB) and suggested talking to Mark Hammond (MH).</p> <p>LC confirmed that other than the NI RLCA, there are no other applicable guidance or background documents that she is aware of, but a new local plan is in development.</p>	<p>It has not been possible to locate a citation for the Sperrin AONB which describes the specific special qualities and the reasons for the designation of the area.</p> <p>Where relevant special qualities/key characteristics have been drawn from the national and regional landscape character assessments.</p> <p>The Guidelines for Landscape and Visual Impact Assessment (3rd edition) (GLVIA3)⁸ is the main applicable guidance.</p> <p>Reference is made to relevant local policies.</p>

⁸ Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) (2013), The Landscape Institute and Institute for Environmental Management and Assessment.

Scoping/Other Consultation	Issue Raised by Consultee	LUC Response/Action Taken
	<p>LC recognises that development will be phased and may require illustration at various stages.</p> <p>An accompanied site visit was suggested to assist LC in understanding the proposals.</p> <p>Discussion was held about the inclusion of the powerline in the visualisations, noting it will be a separate application.</p> <p>LC recognises that separate assessments will not be undertaken from every house: representative viewpoints will be used.</p> <p>Mitigation was discussed: an indicative mitigation plan will be included in the LVIA (i.e. areas for planting and likely species) but not a detailed planting plan. Transplants and whips will be favoured over larger trees.</p> <p>LC stated that consideration should be given to what the landscape should be restored to after closure: i.e. the current linear belts of coniferous trees form artificial lines through the landscape – consider ultimate objective for rehabilitation.</p> <p>LC stated that she had concerns over cumulative effects.</p> <p>It was agreed that LC will comment on the list of assessment viewpoints once a map and draft ZTV had been provided to her. JL said they had no comments to make on these at the meeting, but requested a set of photomontages.</p> <p>Dark sky zones were discussed (by Stephen Hamilton (SH)). Effects to be considered.</p>	<p>The project is illustrated at various stages in the 3D model views and photomontages.</p> <p>A site visit was discussed further between LC and DGL/██████. No accompanied site visit was undertaken with LC in advance of the application.</p> <p>As the powerline will be subject to a separate application, and its route/alignment is currently uncertain, it is not included in the visualisations.</p> <p>Representative viewpoints are used, and consideration is given to potential effects on views from residential property groups within 3km of the site.</p> <p>Indicative appropriate mitigation (landscape and ecology) is identified and included in the assessment.</p> <p>The post restoration landscape has been considered as part of the closure and rehabilitation plan for the site.</p> <p>Cumulative effects are assessed where applicable, where the proposal has the potential to interact with other existing, consented and proposed developments. The assessment of cumulative effects focuses on the likely significant effects.</p> <p>A map and ZTV was provided and consultation was undertaken to agree the representative viewpoints.</p> <p>Potential effects associated with artificial lighting of the project infrastructure site, project components and vehicle movements on site have been considered, with reference to potential effects on dark skies.</p>
<p>LVIA Consultation (Consultation material sent via email and post: 15th February 2016)</p>	<p>(Consultation response received via email 25th February 2016) – direct quotes:</p> <p><i>“Concerns were raised at the meeting on 18th January 2016, about the landscape effects of the lorries along “a temporary road across the Curraghinalt ridge” (ref: page 11 para 3.1 of the Scoping Report) and the visual effects in the views from the north around the Owenkillew River area and the rising</i></p>	<p>The proposed temporary haul/access road across the broad ridge formed by Mullydoo, Crocknamoghil and Crockanboy Hill no longer forms part of the final development proposal.</p>

Scoping/Other Consultation	Issue Raised by Consultee	LUC Response/Action Taken
	<p><i>land beyond. We suggest that consideration is given to the inclusion of an additional viewpoint(s) in the area east of Greenan Bridge to assess these effects."</i></p> <p><i>"Otherwise the 8nr. viewpoints to be used for the photomontages and determined by the Zone of Theoretical Visibility (ZTV) appear reasonable".</i></p> <p><i>"With regard to the Cumulative LVIA, large commercial scale wind farm developments, smaller scale single turbines, mineral extraction sites and other large scale built developments etc. are to be included in the assessment. We advise that the final list for inclusion is agreed with strategic planning as they have information re: planning approvals, applications etc. not ourselves."</i></p> <p><i>"Finally, to confirm, the methodology and guidance laid out in "Guidelines for Landscape and Visual Impact Assessment", 3rd edition by the Landscape Institute and Institute of Environmental Management and Assessment published 2013 is to be used. The Landscape Institute Advice Note 01/11 "Photography and Photomontage in Landscape and Visual Assessment" should also be considered."</i></p> <p><i>"Please also refer to the NI Regional Landscape Character Assessment (NIRLCA) 16 and the NI Landscape Character Assessment 2000 which can be found at www.doeni.gov.uk/articles/landscape-character-northern-ireland"</i></p> <p><i>"It should be noted that the site lies within the Sperrin AONB."</i></p>	<p>The eight agreed assessment viewpoints, plus one additional viewpoint (VP4) have been included.</p> <p>The Cumulative LVIA considers cumulative landscape and visual effects associated with the addition of the Curraghinalt Project with the other developments listed in Appendix 4 and refined in Table 6.6, which includes large scale wind farms, single turbines, mineral extraction sites and large scale built developments, as agreed with the Department of the Environment Northern Ireland (DOENI) Strategic Planning team.</p> <p>The LVIA and Cumulative LVIA has been prepared in accordance with the approach described in GLVIA3 (as detailed within Chapter 4). Visualisations to accompany the assessment have been produced in accordance with the Landscape Institute Advice Note 01/ and the methodology for production of the visualisations was based on applicable guidance as detailed in Appendix 2 of this report.</p> <p>The landscape assessment considers effects upon the baseline landscape described in the NIRLCA and the NI Landscape Character Assessment 2000.</p> <p>The LVIA considers effects on the landscapes of the Sperrin AONB, and views from and towards this nationally designated landscape.</p>
<p>Pre-Application Discussions Meeting: Landscape & Visual Impact Assessment (16th August 2016)</p>	<p>The strategy for the siting and design of the proposed project was discussed, and included a short presentation from LUC to illustrate the potential landscape and visual effects which may arise based on the emerging design at this time.</p> <p>A potential accompanied site visit with the DAERA Landscape Architect was offered. Landscape Architect confirmed that attendance of DAERA would need to be requested by DfI SPD.</p>	<p>DAERA Landscape Architect confirmed the proposed approach to the LVIA was acceptable.</p> <p>No accompanied site visit with the Landscape Architect from DAERA occurred prior to finalising the design or undertaking the assessment.</p>

Study Area

- 2.18 The study area for the assessment of landscape and visual effects, and cumulative effects, extends to 15km from the outermost edges of the proposed infrastructure site (Area A) and is shown on **Figure 1.1**. The study area was defined with reference to existing guidance and in

consultation with statutory consultees. A detailed description of the study area is included in **Chapter 6: Baseline Information** of this report.

Field Survey

- 2.19 Field survey work was carried out during several visits under differing weather conditions between January 2016 and July 2016, and records were made in the form of field notes and photographs. Field survey work included examination of the site, visits to potential representative viewpoints and designated landscapes, and extensive travel around the study area to consider potential effects on landscape character and on experiences of views and visual seen from routes (roads and recreational routes), settlements and key static viewpoint locations.

Key Steps in Assessment

- 2.20 The key steps in the assessment are as follows:
- Identification of designated areas of relevance to landscape and visual amenity;
 - Identification of landscape features that may be affected by the Curraghinalt Project;
 - Identification and description of Regional Landscape Character Areas (RLCAs) and Local Landscape Areas (LLCAs) located across the study area, informed by field surveys, taking into account aspects such as geology, topographical structure, vegetation, features of landscape importance (e.g. cultural, archaeological, ecological), existing condition, quality and any given value (reflecting landscape designations);
 - Determination of the sensitivity of each RLCA and/or LLCA to the type and scale of development proposed, taking account of their value and susceptibility to change;
 - The production of a draft Zone of Theoretical Visibility (ZTV) for the key Curraghinalt Project components, using computer modelling extending to up to a 15km radius from the proposed infrastructure site (Area A), in order to determine the study area, and highlight potential landscape and visual receptors;
 - Identification of viewpoints to inform the visual assessment, which are representative of the range of views and types of receptor likely to be affected, and determination of the nature or sensitivity of the receptors they represent to change, taking account of their value and susceptibility to change;
 - Iterative project design development (see **ES Chapter 5: Alternatives Considered**), and identification and evolution of appropriate measures to mitigate potential landscape and visual effects;
 - The production of computer modelled 3D model views (wirelines) and photomontage images to illustrate the Curraghinalt Project from an appropriate selection of representative assessment viewpoints;
 - Making judgements about the nature or magnitude of effects on the landscape (both in terms of direct changes to landscape features and resources, and indirect changes to the local character of surrounding landscapes), taking cognisance of size/scale, geographical extent, duration and reversibility;
 - Making judgements about the nature or magnitude of effects on views and visual amenity at each representative viewpoint, taking cognisance of size/scale, geographical extent, duration and reversibility;
 - Making judgements about the significance of the potential resultant landscape and visual effects, and setting out appropriate mitigation measures;
 - Evaluation of the level and significance of residual effects following the application of mitigation measures (i.e. assuming mitigation is taken on board); and
 - Consideration of cumulative issues so as to judge the effects of the Curraghinalt Project in combination with other existing, consented or proposed projects, or other anticipated changes nearby.

Structure of the Assessment

2.21 The remainder of this report is structured as follows:

- Legislation and Policy;
- Assessment Methodology;
- Proposed project Siting & Layout Design;
- Landscape and Visual Baseline;
- Mitigation Measures;
- Assessment of Effects on Landscape, including cumulative effects;
- Assessment of Effects on Views, including cumulative effects;
- Implications for Designated Landscapes; and
- Summary of Landscape & Visual Effects.

3 Legislation & Policy

Legislation

- 3.1 The protection of the landscape and visual amenity in Northern Ireland is governed by European Union (EU) Directives and their transposition into Northern Ireland law by way of Statutory Rules.
- 3.2 There are no specific EU Directives or national orders/regulations with regard to the protection of the landscape and visual amenity in Northern Ireland. However, the following are of relevance:
- EIA Directive (2011/92/EU);
 - Habitats Directive (Natura 2000 Sites) (92/43/EEC);
 - The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015;
 - Amenity Lands (NI) Act 1965; and
 - Nature Conservation and Amenity Lands (NI) Order 1985.

National Planning Policy

Planning Strategy for Rural Northern Ireland

- 3.3 Current planning policies for minerals within the FODC region are set out in the Planning Strategy for Rural Northern Ireland (PSRNI)⁹ and, specifically of relevance to landscape and visual effects, the development of mineral workings should have regard to the following policies:
- **Policy MIN 2: Visual Implications** – *“to have regard to the **visual** implications of mineral extraction.”*
 - **Policy MIN 6: Safety and Amenity** – *“to have particular regard to the safety and **amenity** of the occupants of developments in close proximity to mineral workings.”*
 - **Policy MIN 8: Restoration** – *“to require mineral workings to be restored at the earliest opportunity.”*

Strategic Planning Policy Statement for Northern Ireland (SPPS)

- 3.4 The relevant strategic objectives of the SPPS¹⁰ with regard to minerals are:
- *“facilitate sustainable minerals development through balancing the need for specific minerals development proposals against the need to safeguard the environment;*
 - *minimise the impacts of minerals development on local communities, **landscape** quality, built and natural heritage, and the water environment; and*
 - *secure the sustainable and safe restoration, including the appropriate reuse of mineral sites, at the earliest opportunity”.*
- 3.5 The SPPS sets out strategic policy provisions which must be taken into account in the preparation of LDPs and in the determination of planning applications.
- 3.6 The following regional strategic policies, specifically of relevance to landscape and visual effects, which must be taken into account in the determination of planning applications for mineral development.

⁹ *Planning Strategy for Rural Northern Ireland* (September 1993) The Planning Service, Department of Environment.

¹⁰ *Strategic Planning Policy Statement for Northern Ireland (SPPS)* (September 2015) Department of the Environment.

- Para 6.154 (Balance the Need) - the regional strategic policies which must be taken into account in determination of planning applications for mineral development
- Para 6.157 (Valuable Minerals) - From time to time minerals may be discovered which are particularly valuable to the economy. Their exploitation may create environmental effects which are particular to the methods of extraction or treatment of that mineral. There will not be a presumption against their exploitation in any area, however in considering a proposal where the site is within a statutory policy area, due weight will be given to the reason for the statutory zoning.
- Para 6.158 (Designated Areas and Mineral Development) - Minerals development within or in close proximity to an area that has been designated (or is proposed for designation) to protect its landscape, scientific or natural heritage significance will not normally be granted permission where this would prejudice the essential character of the area and the rationale for its designation.
- Para 6.161 (Restoration Proposals) - Applications for the extraction of minerals must include satisfactory restoration proposals. The preferred types of reclamation and after use depend on a number of factors, including, the characteristics of the deposits, nature of excavation, availability of fill materials, the surrounding landscape, the needs of the local community and the potential for nature conservation on the site.
- Para 6.165 (Visual Intrusion) - visual intrusion is often the most significant environmental impact associated with mineral workings and where permission is granted, landscape quality should be protected by attaching conditions designed to avoid or mitigate any adverse impacts. Particular regard should be paid to the preservation of skylines and to the proposed location of plant, stockpiles and overburden/waste within the development.
- Para 6.167 (Restoration) - in line with the objective to secure the sustainable restoration, including the appropriate re-use of mineral sites, planning applications should be required to provide adequate details demonstrating the satisfactory restoration of sites subsequent to the completion of operations. Such provisions must be underpinned by appropriate conditions attached to any grant of planning permission.

3.7 Paragraphs 6.186-6.188 relate specifically to development within AONBs.

- Para 6.186 - Areas of Outstanding Natural Beauty (AONBs) are designated by the Department primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage under the Nature Conservation and Amenity Lands (NI) Order 1985 (NCALO).
- Para 6.187 - Development proposals in AONBs must be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife, and be in the accordance with relevant plan policies.
- Para 6.188 - in assessing proposals, including cumulative impacts in such areas, account will also be taken of the Landscape Character Assessments and any other relevant guidance including AONB Management Plans and local design guides.

3.8 Planning Policy Statements (PPS) express the policies of the Department of the Environment for Northern Ireland on different aspects of land use planning. The contents are taken into account in preparing development plans and, in appropriate circumstances, will also be material to decisions on individual planning applications and appeals. There is currently no PPS relating to Minerals in Northern Ireland.

Planning Policy Statement 2 Natural Heritage (PPS2) – July 2013

3.9 Planning Policy Statement 2¹¹ supersedes the previous *Planning Strategy for Rural Northern Ireland Regional Planning Policies: Policy DES 4 Areas of Outstanding Natural Beauty* and sets out the Department of Environment's planning policy for the conservation, protection and

¹¹ *Planning Policy Statement 2 Natural Heritage* (July 2013) Department of Environment.

enhancement of our natural heritage. PPS 2 includes the following policy of relevance to potential landscape and visual effects:

- **Policy NH6 – Areas of Outstanding Natural Beauty** – *“Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:*
 - *a) the siting and scale of the proposal is sympathetic to the **special character of the Area of Outstanding Natural Beauty** in general and of the particular locality; and*
 - *b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the **landscape**; and*
 - *c) the proposal respects: local architectural styles and patterns; traditional boundary details, by retaining features such as hedges, walls, trees and gates; and local materials, design and colour.”*

Planning Policy Statement 21 Sustainable Development in the Countryside (PPS21) – June 2010

3.10 PPS 21¹², adopted in June 2010, takes precedence over a number of policy provisions for designations contained in existing and published draft development plans. The following policies within PPS 21 are considered to bear some relevance to landscape and visual effects:

- **Policy CTY 1 – Development in the Countryside** – *“... All proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental considerations including those for drainage, access and road safety. ...”*
- **Policy CTY 13 – Integration and Design of Buildings in the Countryside** – *“Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding **landscape** and it is of an appropriate design. ...”*
- **Policy CTY 14 – Rural Character** – *“Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. ...”*

Regional Planning Policy Context

- 3.11 Regional planning policy relevant to minerals within this region are set out in the Department for Regional Development (2010) Regional Development Strategy (RDS) 2035 – Building a Better Future, Department of Environment (1993); A Planning Strategy for Rural Northern Ireland (PSRNI); and the Department of Environment (2014) Strategic Planning Policy Statement (SPPS) (2015). The Department of Environment Planning Policy Statements (PPS) are also taken into consideration in conjunction with existing planning policy.
- 3.12 The RDS does not provide specific policy aims and objectives for minerals but identifies the significance of rural areas including towns and villages, which have a role as a reservoir of natural resources and highly valued landscapes.

Local Planning Policy Context

Local Development Plan

- 3.13 The Curraghinalt Project is proposed within the Fermanagh and Omagh District Council (FODC) region of Northern Ireland. FODC is responsible for producing its own Local Development Plan (LDP) which is currently in preparation. Prior to the establishment of the current local government districts on the 1st April 2015, the existing local plan for the region was set out in the Omagh Area Plan 2002. On 3 October 2016, FODC published their Local Development Plan Preferred Options

¹² *Planning Policy Statement 21 Sustainable Development in the Countryside* (June 2010) Department of the Environment.

Paper ('POP') for consultation, with detail in relation to minerals development contained in Main Issue 7: Minerals Development.

Omagh Area Plan 2002

- 3.14 The Omagh Area Plan 2002 (OAP 2002) acknowledges that mineral reserves in the district include sand, gravel, hard rock, gold and peat deposits.
- 3.15 The OAP 2002 recognises the important role of minerals in both the physical and economic development of the area, while also aiming to protect the quality of the landscape. It recognises that it also causes a loss of visual amenity. Therefore the plan seeks to protect landscape quality and ensure that where planning permission is granted it includes conditions to mitigate or avoid visual disturbance. In addition, it states that all new mineral developments would be conditional upon the ultimate rehabilitation of sites to a safe and tidy condition.
- 3.16 The basic strategy of both existing and emerging policies is aimed at promoting mineral development while affording protection to the existing environment.

4 Assessment Methodology

Background to Assessment

- 4.1 The methodology used for the assessment was developed in accordance with UK current good practice guidance including that contained within the Guidelines for Landscape and Visual Impact Assessment – Third Edition (GLVIA3)¹³. GLVIA3 provides guidance on the assessment of both landscape and visual effects, including assessing the overall significance of effects, taking account of the sensitivity of the receptor and the magnitude of the impact. The methodology developed for the LVIA generally conforms to the methodology used for the EIA more broadly as a whole, as defined in the ES¹⁴, but has been refined to take on board the details of the subject-specific guidance outlined in GLVIA3.
- 4.2 **Appendix 1** sets out the full methodology used for the LVIA and Cumulative LVIA. The methodology used is specific to the type of effect being considered, and describes how the sensitivity (nature of receptor), based on considering both susceptibility and value, and the magnitude of effect (nature of the effect), based on considering size/scale/geographical extent, duration and reversibility, on each receptor were identified, and how these were used to judge the overall significance of both landscape and visual effects, consistent with the approach outlined in GLVIA3 (GLVIA3, Figure 3.5, Page 39).
- 4.3 With respect to terminology, GLVIA3 generally distinguishes *“between the ‘impact’, defined as the action being taken, and the ‘effect’, defined as the change resulting from that action”* and recommends that the terms should be used consistently in this way (GLVIA3 Para 1.15). The terms are used in this way within the assessment.
- 4.4 Assessment of potential effects on landscape, which deals with changes to the landscape as a resource, and visual effects, which addresses changes in views and visual amenity are related but distinct components of LVIA¹⁵. The methodologies used to assess potential landscape and visual effects are broadly similar, but do include some differences.
- 4.5 The LVIA considers the potential landscape and visual effects arising from the addition of the Curraghinalt Project to the existing landscape, against a baseline that includes other existing built development. This may include, but is not limited to, mineral extraction sites, wind farms and single wind turbines and large scale agricultural or industrial developments, which are either existing or are currently under construction.
- 4.6 The cumulative landscape and visual impact assessment (Cumulative LVIA) considers the potential effects which may occur from the addition of Curraghinalt Project, against a less certain baseline landscape, that includes development that may or may not be present in the landscape in the future (e.g. developments with a viable planning consent or proposed projects subject to a valid planning application).
- 4.7 In order that the differences are clear, the methodology and means of assessing significance for landscape and visual effects, and cumulative effects is set out separately, under the following headings:
- Assessing Landscape Effects;
 - Assessing Visual Effects; and
 - Assessing Cumulative Effects.

¹³ Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) (2013), The Landscape Institute and Institute for Environmental Management and Assessment.

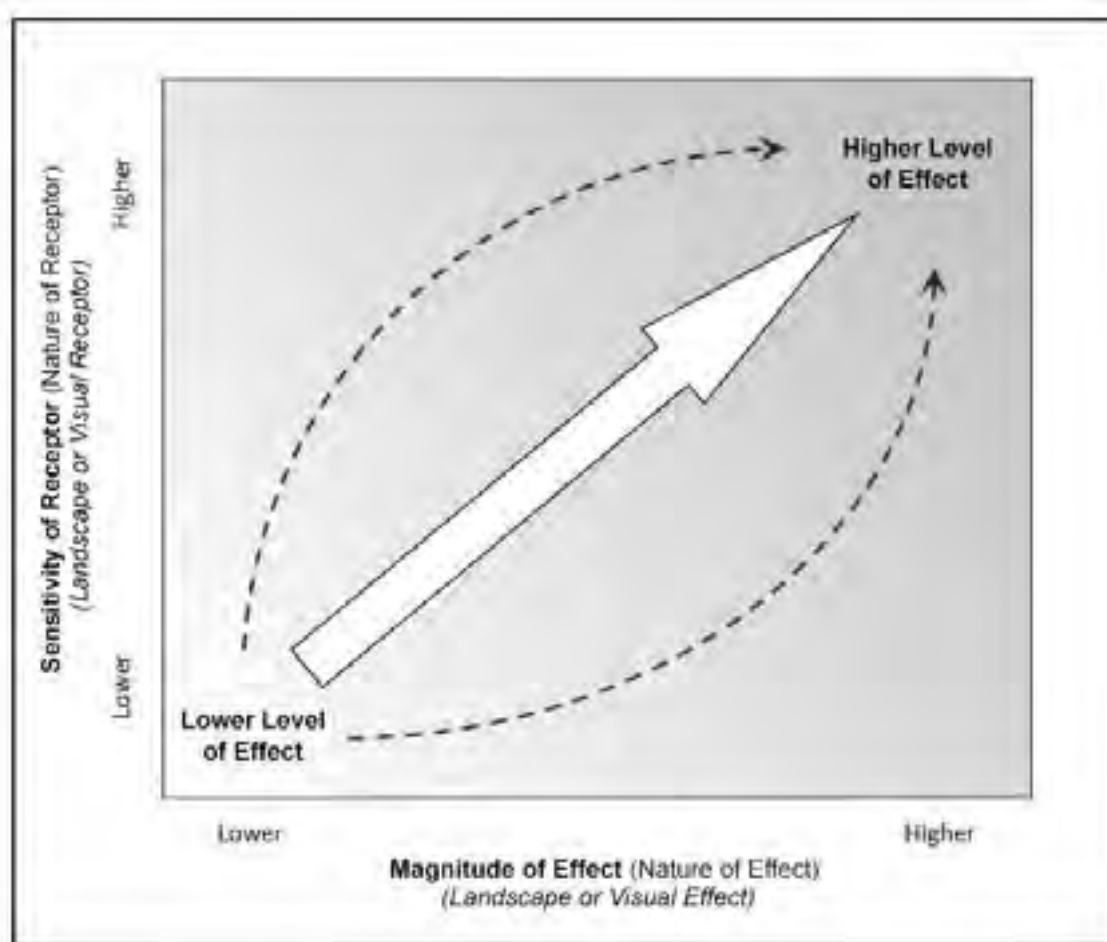
¹⁴ Environmental Statement for the Curraghinalt Project, Northern Ireland, 2017

¹⁵ This distinction is emphasised and clearly defined in the GLVIA 3rd Edition.

General Approach

- 4.8 The assessment of both landscape and visual effects, including cumulative effects, requires consideration of the **sensitivity** or nature of receptors (taking account of their value and their susceptibility to change) and the **magnitude** or nature of the effect (taking account of scale and extent, duration and reversibility). Each variable is examined, and professional judgements made, based on the use of a consistent set of standard terms.
- 4.9 The assessment of landscape and visual effects is based on the weighing up and evaluation of the various contributory aspects, resulting in the presentation of a reasoned judgement as to how each has been assessed, and their contribution to the overall level and significance of the identified resultant landscape and visual effects. A numerical or formal weighting system, or rigid matrix-type approach, whereby the level and significance of effect is defined by the direct correlation between the level of sensitivity and the magnitude of effect is not appropriate for the assessment of landscape and visual effects. Consideration is therefore given to the relative importance against each criteria, to inform the overall judgement, which is accompanied by detailed narrative text providing justification for the judgements.
- 4.10 Each effect can however be evaluated with reference to **Diagram 4.1**, which is shown below as a guide.

Diagram 4.1 Determining Significance of Effects



- 4.11 As required by the EIA Regulations, the assessment must identify the direction of effects as either being adverse, beneficial or neutral (also referred to as negative or positive). With regard to this assessment, the direction of landscape and visual effects is determined as either **beneficial** ('negative'), **adverse** ('negative') or **neutral**. However, adopting a precautionary approach, all effects are assumed to be **adverse** ('negative') unless otherwise stated.

5 The Proposed project

Siting and Design

- 5.1 An iterative approach was adopted during the siting and design of the Curraghinalt Project, enabling an understanding of the baseline environment and the early identification of potential landscape and visual effects to be fed into the evolving design, refining and adapting it so as to help develop the final development proposals.
- 5.2 This iterative design, including the alternative sites considered for the location of key development components, is detailed in **ES Chapter 5: Alternatives Considered** and the final proposed project is described in detail in **ES Chapter 4: Project Description**.

Project Components Related to Landscape & Visual Resources

- 5.3 As described in **ES Chapter 4: Project Description**, the proposed project consists of a number of below ground and above ground surface components, however the assessment of landscape and visual effects focuses on the effects associated with above ground surface components which may alter the physical fabric, or perceptual character of the existing landscape, and lead to visible changes in views and visual amenity as experienced by people. These are limited to the proposed infrastructure site (Area A) as shown on **Figure 1.1** and described below.
- **The proposed surface infrastructure site (Area A):** The site where the process plant and dry stack facility (DSF) will be located, accessed from Crockanboy Road (B46). The area includes the surface portal to the underground decline; covered ore stockpile; crusher pad; process plant; DSF; maintenance workshop; fuel and live station; water treatment plant (WTP) and water management ponds; admin and mine dry buildings; and perimeter fencing.
- 5.4 The existing surface infrastructure site (Area C) is an existing site that is located on the northern side of Camcosy Road. It comprises an exploration compound that will be retained. It will be used as an early works base and for underground development and future training. There is a waste rock storage area at the site that will be decommissioned and rehabilitated. Effects arising in relation to these existing components have not been considered in the assessment.
- 5.5 The existing adit (horizontal entrance to the mine) is located within the proposed mineral extraction area (Area B) and was developed¹⁶ for exploration of the mineral deposit. This infrastructure will be used as a secondary access to the mine. The project includes the retention of all the existing infrastructure at this site during the life of the mine, however effects arising in relation to the retention of this existing component have not been considered in the assessment of landscape and visual effects as no material changes to this area or the infrastructure therein are proposed, beyond those which were considered for the original planning application(s) and subsequent consents.
- 5.6 Sources of potential landscape and visual impact were identified based on the project activities, and the related development components. The project components will occupy varying extents of the development site and hence result in varying levels of landscape and visual effect, of both a direct nature in relation to landscape resources, and an indirect nature in relation to wider landscape character and visual amenity. Those components of greatest height, size and extent will generally result in the greatest effects on both landscape and visual receptors.
- 5.7 The key components of the project which will be the main source of landscape and visual effects are listed below:
- A DSF for storage of dry stack tailings and uneconomic rock;

¹⁶ The site is operated under the planning permissions K/2014/0387/F, K/2014/0246/F and K/2013/0072/F.

- Surface portal to the decline and berm to processing site;
 - Water Treatment Plant (WTP) and water management ponds;
 - A mineral process plant, including crushing facility; process plant buildings; and
 - ancillary buildings.
- 5.8 Other components which may be seen but which will contribute to a lesser degree are:
- Administrative buildings;
 - Maintenance workshop;
 - Warehouse facilities;
 - Parking;
 - Site roads
 - Vehicle movements; and
 - Connections, to offsite infrastructure including the Northern Ireland road network, the electrical grid, along with the sewer and water supply networks in the area of the mine.
- 5.9 It is understood that the mine will operate 365 days a year, 24 hours a day. Therefore, there will be Artificial lighting associated with some componentry and infrastructure, as well as vehicle movements within the site which may be visible during hours of darkness. Where applicable, consideration of visual effects associated with the lighting of specific componentry is included within the assessment.
- 5.10 An appraisal of potential landscape and visual effects associated with the development of a new 33 kV electricity distribution line that will be developed by Northern Ireland Electricity Networks (NIE) to supply power to the Curraghinalt Project mineral process plant is found in **Appendix Z** to the ES.

Project Phases & Assessment Phases

- 5.11 The LVIA has considered a sequence of the main project phases which are outlined in **Table 5.1** below. Within each phase, a number of project activities are identified and are scheduled to be undertaken at different stages. Landscape and visual impacts associated with the following phases are considered at three different assessment stages, as outlined in **Table 5.1** below:
- 5.12 Table 5.1 These are a simplification of the more detailed phases and sub-phases, in order that the landscape and visual impacts associated with each key phase can be set out and illustrated. They are fully detailed in **Chapter 4: Project Description**. Whilst the project is live, it will be divided into the three main phases (construction through to closure as listed below), however, in practice there will be a fluid transition between the end of one phase and the start of the next, and some activities will occur concurrently.
- 5.13 The construction phase can expect to take approximately 2 years (including construction of infrastructure and initial development of the mine workings). The operational phase of the mine (known as the Life-of-Mine) is expected to be between 20 to 25 years based on the known mineral resources and proposed production rate, however this may vary dependant on the processing rate. During the operational mining phase, further exploration drilling could extend the mining reserves and the life of mine. It is estimated that closure of the mine and complete restoration of the mine site will take one year, after which monitoring and maintenance will continue for five years.
- 5.14 In summary:
- Construction Phase for the mine and related infrastructure will occur over two years;

- Operational Phase will extend to 20-25 years¹⁷;
- Closure and restoration phase will be undertaken over one year; and following this
- Post-closure monitoring and maintenance will extend for a five year phase.

5.15 Within each phase, a number of project activities are identified and are scheduled to be undertaken at different stages. Landscape and visual impacts associated with the following phases are considered at three different assessment stages, as outlined in **Table 5.1** below:

Table 5.1 Project Phases and Assessment Phases

Project Phases and Assessment Phases			
Project Phase	Duration	Key Project Activities	Assessment Phase
Construction (includes construction of infrastructure and initial development of the mine workings)	2 years	Facilitation of site access roads; Movement of onsite construction vehicles and machinery; Construction of project components (including DSF); Night time lighting.	Assessment at c. Year 2 of project (assumed to be before operational activities begin). Representing: Construction Phase: Year -1. (This will reflect short-term often temporary effects experienced during construction).
Operational (known as the Life-of-Mine)	20 - 25 years (Dependant on processing rate of mineral resource)	Movement of vehicles required for operational phase on site; Development of DSF as material is removed from the underground mine; Night time lighting.	Assessment at c. Year 20 of project (assumed to be during the development of the final extent of the DSF as shown in photomontage visualisations, with 3D model views representing Year 5 and Year 11 of the operational phase included for a number of viewpoints). Representing: Operational Phase: Year 1 – 25. (This will reflect the ‘maximum case’ assessment of the project life).
Closure and Restoration	6 years (It is estimated that it will take 1 year to rehabilitate the site, this will be followed by 5 years post closure monitoring and maintenance.)	Cessation of operations; Implementation of Closure activities, restoration measures and monitoring of restoration.	Assessment at c. Year 25 of project (assumed to be when closure works cease, and illustrated in photomontage visualisations for a number of viewpoints). Representing: Closure and Restoration Phase: Year 26 – 31.

¹⁷ Dependant on processing rate of mineral resource

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6 Baseline Information

Introduction

The Project Site and Context

- 6.1 The Curraghinalt Site is proposed within the Fermanagh and Omagh District Council (FODC) area, approximately 17km to the north-east of Omagh, with the main componentry centred on approximately Irish grid reference 72320, 546130.
- 6.2 The Infrastructure Site (Area A), as shown on **Figure 6.1**, is situated on the lower broadly south facing slopes of the broad ridge, which forms part of the southern Sperrin Mountains. The highest points from east to west include the local hills of Crockanboy Hill (287m AOD), Crocknamoghil (355m AOD) and Mullydoo (325m AOD).
- 6.3 In the west to north-western part of the site landcover comprises moorland and rough grazing, above the limit of enclosed land, comprising bog, heath and rush pasture habitats. At lower elevations, the land use of and surrounding the ridge predominately comprises pastoral farmland used for grazing, with long narrow rectilinear fields bound by a combination of post and wire fences, stone walls and hedgerows, with linear coniferous tree belts as well as lines of broadleaf trees, along boundaries.
- 6.4 The field pattern is representative of the characteristic 'ladder fields', and runs up slope in a broadly south-west to north-east orientation. The eastern part of the site is largely composed of more intensively managed improved pastoral farmland at lower elevation, delineated by coniferous trees will form a matrix of linear enclosing shelterbelts which are a key characteristic of the site, but do not reflect the character of the wider landscape.
- 6.5 The ridge formed by Crockanboy Hill and Crocknamoghil directly north of the site forms the watershed between the Owenkillew River valley to the north (river located at approximately 120m AOD) and the Owenreagh River valley to the south (river located at approximately 105m AOD), and this landform limits views towards the site from the north, including the Sperrin Mountains which form the core central area of the Sperrin AONB.

The Study Area

- 6.6 The landscape of the study area is varied and includes the Sperrin Mountains, upland moorland, valley farmland and areas of coniferous plantation as well as natural and native woodland. The topography of the study area is also varied, as illustrated on **Figure 6.2**. To the north of the site lie the higher hills of the Sperrin Mountains with notable summits, running from east to west including Sawel Mountain the highest point within the Sperrins range (678m AOD) approximately 13km to the north-east of the site, Dart Mountain (619m AOD) approximately 10km to the north-west and Mullaghclogha (635m AOD) approximately 10.5km to the north. Land cover to the north primarily comprises open moorland and heathland at higher altitudes.
- 6.7 To the east and north-east, the landform comprises a series of ridges and valleys, with a high point at Oughtmore (382m AOD), 13km to the east. Land cover consists of an extensive patchwork of plantation forestry, lower valley farmland and elevated open moorland.
- 6.8 Directly south of the site, the ridge and valley topography continues but is generally at a lower elevation to the Sperrins to the north, with a land cover of farmland and moorland on higher ground.
- 6.9 To the west and south-west lie the south-west Sperrins, with a high point of Mullaghcarn (542m AOD). This is the most southerly hill of the Sperrins and is located on the edge of Gortin Glen Forest Park. Land cover to the west consists of plantation forestry, broadleaf woodland, moorland and extensive areas of farmland at lower elevations.

- 6.10 There are a number of communication routes throughout the study area which mainly link valley towns, regular well-spaced detached residence and farmsteads. Within 5km, these include the B46 and a network of minor roads. Between 5km to 15km roads include the A505, B46, B47, B48 and B5536.
- 6.11 Settlement and residences in the study area are generally located at a lower elevation, in association with existing roads and the river valley. The settlement pattern within 5km of the proposed project largely comprises well-spaced detached houses and farmsteads, adjacent to connecting roads and a number of small settlements; including Rouskey 2.7km to the west, Greencastle 2.8km to the south-east, Glenhull 3km to the north-east and Scotch Town 3.6km to the north-west.
- 6.12 At over 5km distance, the largest settlements include Loughmacrory 9.6km to the south, Mountfield 8.4km to the south-west, Gortin 8.5 km to the west, Plumbridge 11.4km to the north-west, Dunnamore 11.8km to the east, Creggan to the south-east 8km, Carrickmore 13km to the south-east, Loughmacrory 9.4km to the south, and Mountfield 8.2km to the south-west. The town of Omagh lies just outside the 15km study area to the south-west.

Visual influence of the Curraghinalt Project

- 6.13 In order to understand the potential landscape and visual effects of the Curraghinalt Project, a Zone of Theoretical Visibility (ZTV) was generated based on the maximum extent of the DSF¹⁸. The ZTV extends to an area of approximately 15km radius from the project infrastructure site, and despite areas of higher visibility indicated beyond this distance in some instances, the likelihood of significant landscape and visual impacts occurring beyond 15km are considered unlikely. The ZTV is based on a bare ground terrain model and therefore illustrates a 'maximum case scenario' with no account taken of screening by vegetation and buildings.
- 6.14 ZTVs illustrates the extent of theoretical visibility possible across the 15km study area for the process plant buildings and the DSF at different stages of development (Year 5, Year 11 and Year 20 – Maximum extents) as shown on **Figures 6.3a-d**. The ZTVs were used to help identify the landscape and visual receptors likely to experience effects as a consequence of the introduction of the Curraghinalt Project.

Landscape Baseline

- 6.15 This section presents an overview of the landscape baseline including the existing landscape character (and constituent landscape elements), as well as comment on landscape condition and any designations attached to the landscape.
- 6.16 Available documents and guidelines which describe landscape character and protected landscapes within the study area were reviewed. The data relevant to study area is detailed below.

Landscape Character

- 6.17 Landscape is primarily concerned with the relationship and interaction between people and place. Landscape is defined by GLVIA3 as an area which is perceived by people, the character of which is the result of natural and/or human factors. Different components of the environment, both natural (geology, soils, climate, flora, fauna) and cultural (historical, land use, settlement and other human intervention) combine to shape landscape character as perceived and related to by the people who experience it.
- 6.18 The landscape character of the site and study area is described in the following documents:
- Northern Ireland Regional Landscape Character Assessment, 2015 (NIRLCA)¹⁹; and

¹⁸ The DSF represents the largest component of the development, and which consequently has the most extensive visual influence. It is considered unlikely that other project components within the proposed infrastructure site (Area A) will be seen out with the context of the DSF, therefore individual ZTVs for other project components were not generated.

¹⁹ LUC in association with Mullin Design Associates and Julie Martin Associates (2015) Northern Ireland Regional Landscape Character Assessment.

- Northern Ireland Landscape Character Assessment, 2000 (NILCA)²⁰.

6.19 Regional and Local Landscape Character Areas (LLCAs) are shown on **Figure 6.4** and **Figure 6.5** and are shown overlaid with the ZTV on **Figure 6.4a** and **Figure 6.5a**. The LLCAs broadly nest within the larger scale RLCAs, covering the same areas of landscape, but providing greater levels of detail, albeit that some of the baseline information on the 1999 assessment is now dated. Whilst the baseline material from each study is summarised in this chapter, the assessment considers the areas holistically rather than assessing areas divided up in different ways twice, as this would result in double counting of effects.

Regional Landscape Character Areas (RLCAs)

6.20 In 2015, the then Northern Ireland Environmental Agency (NIEA) commissioned LUC to prepare a Regional Landscape Character Assessment. The resulting Northern Ireland Regional Landscape Character Assessment provides a strategic overview of the landscape and subdivides the country into 26 Regional Landscape Character Areas, based upon information on people and place and the combinations of nature, culture and perception which make each part of Northern Ireland unique.

6.21 Regional Landscape Character Areas are shown on **Figure 6.4** and are shown overlaid with the ZTV in **Figure 6.4a**.

Regional Landscape Character Areas

6.22 The Curraghinalt Project is proposed within two Regional Landscape Character Areas (RLCAs). These are named: **7 Sperrins** and **12 Carrickmore Plateau and Pomeroy Hills**. Key characteristics of these RLCAs are quoted below.

RLCA 7 Sperrins

Introduction

The principal mountain range of the north-west, the Sperrins comprise some of the wildest and most rugged terrain in Northern Ireland. The main ridges, divided by the scenic Glenelly valley, are surrounded by a series of outliers including Bessy Bell and Mullaghcarn above the River Strule, Slieve Gallion in the east, and Benbradagh across the Glenshane Pass. The boundaries follow the main east-west ridges of the Sperrins, separating them from the lower hills to north and south.

Location and Setting

The Sperrins are the principal mountain range of the north west of Northern Ireland. The RLCA covers the uplands and valleys focused on the spine of the Sperrin Mountains which runs from west to east. The mountains begin at the detached hill of Bessy Bell above Newtown Stewart, and continue to the east and north east through the area surrounding Mount Sawel, the highest peak in the range, and across the Glenshane Pass to Benbradagh and Carntogher. The RLCA also covers the westward outlying peak of Slieve Gallion and the valley around Draperstown.

The RLCA falls mainly within County Tyrone and includes small areas of County Londonderry. The RLCA is surrounded by lower lying landscapes of valleys and foothills, with the exception of the Bievenagh Ridge (RLCA 10) which continues to the north-east, curving around to the North Coast. The Foyle Valley (RLCA 6) lies to the west, where the landform falls away beyond Owenreagh Hill and Bessy Bell. To the south west the RLCA skirts around the edges of the settlement of Omagh and overlooks the Omagh Basin (RLCA 4) and Fairy Water valley (RLCA 5).

To the south, the mountains drop down to a more level plateau between Mullaghcarn and Slieve Gallion, which has been identified as the Carrickmore Plateau (RLCA 12). To the east, Slieve Gallion is a major presence overlooking the drumlin farmland along the western flanks of Lough Neagh (RLCA 11) and Lower Bann Valley beyond. The North Sperrins Hills and Valleys (RLCA 8) is to the north where the lower foothills

²⁰ Environmental Resources Management (1999) Northern Ireland Landscape Character Assessment 2000, Environment and Heritage Service Research and Development Series No. 99/1-26.

RLCA 7 Sperrins

of the Sperrins are interspersed with valleys which become progressively shallow and less steep towards the coast.

Landscape Character Description

The Sperrins are characterised by a spine of mountains which runs from Owenreagh Hill in the west to Carntogher in the north-east, along with outlying hills. Many of the peaks of the range are over 500m with the more dramatic summits towards the north including the highest, Sawel Mountain (678m) and Mullaghaneany (627m). The broad rounded ridges surrounding these higher peaks are prevalent throughout the entire RLCA with moorland features and bog land also found extensively. Gortin Glen and the surrounding upland area towards Mary Gray and the outlying Bessy Bell act as a gateway to the Sperrins to the south west with the A5 the key route to the north-west from Omagh to the south. The Strule cuts between these projections forming a scenic valley with Bessy Bell particularly prominent in the landscape despite its relatively diminutive stature (420m).

To the north-east of Mullaghaneany the Sperrins join with the bold basalt escarpment of Benbradagh dominating the head of the Roe Valley. The conifer plantations at Banagher and along the Glenshane Pass contrast with the surrounding open moorland. The Glenshane Pass provides the main corridor of access from the north-west towards Belfast and the east. The screes of Mullaghmore are a prominent feature above Draperstown, within the farmed upper Moyola valley. Slieve Gallion is the most easterly peak of the Sperrins, with distinctive ladder fields on its flanks, and provides views from its eastern slope over the surrounding area to Lough Neagh to the east and beyond to Mount Slemish in the north-east.

There are multiple fast running streams throughout the slopes and gullies have resulted in places sometimes becoming deep and branching. The Glenelly Valley cuts through the RLCA from east to west from Mullaghaneany to Plumbridge. The river has cut deep into the softer deposits and meanders between steep ridges which combine with to give the area a hidden quality which is at odds with the expansive nature of the uplands area surrounding on either side. Glenelly is recognised as a scenic route of particular quality. To the south beyond the broad rounded ridge of Cragnamaddy the Owenkillew River has formed another upland valley to the north of Crocknamoghil which in comparison is much more open. There are many areas of ancient woodland, though most of these are very small in extent.

The mountainous peak of Mullaghcarn is within Gortin Glen Forest Park, an important recreational location that enables expansive views of the western ridge of the higher Sperrins to the north. The Forest Park itself is popular with tourists and the Ulster Way trail passes through the extensive conifer plantations.

Key characteristics:

- The more elevated Sperrin Mountains are characterised by expansive swathes of moorland with coniferous forest plantations contrasting harshly with the windswept broad summits which give an open character to these areas. Hedgerows and stone walls become more prevalent moving away from the higher grounds giving a more interconnected feeling at these locations.
- The higher peaks in the northern part of the RLCA are distinctly more mountainous, comprising a ridge with knife-like projections and rocky summits beyond. These mountains provide the backdrop for many of the views from the lower hills in the area.
- Given the elevated position of the landform and the low-lying nature of much of the surrounding area, expansive views are provided over the Moyola Valley towards Lough Neagh and beyond the River Foyle into Donegal.
- Fast flowing streams throughout the RLCA have resulted in the formation of deep steeply sided gullies and valleys in places with native tree cover becoming much denser along the floors of valleys.
- Main transport routes and settlements are confined to the valleys surrounding the mountains, including the Strule, Glenelly, Owenkillew, Douglas and Moyola Rivers and their tributaries. The Glenshane Pass is the main crossing of the Sperrins itself and is an extremely busy route.
- Bessy Bell the westward outlier of the Sperrins range is a distinctive landmark in the area given its isolated position beyond the main ridge and the deep wooded Strule Valley which separates it from Slieveard. Similarly Slieve Gallion is a major presence from the lowlands to the east.
- Though the valleys are populated, the hill areas of the Sperrins are a sparsely settled area with a high degree of remoteness and tranquillity. The mountains and upper glens have significant wildness character arising from their inaccessibility, and are a dark sky resource."

RLCA 12 Carrickmore Plateau and Pomeroy Hills

Introduction

These plateau hills extend south from the Sperrins to separate the Lough Neagh and Omagh basins. The area has extensive peat bog, forest and upland pasture. The plateau east of Carrickmore in particular is rich in Neolithic monuments, with a number of well-known sites open to visitors. The northern area is hemmed in by the Sperrins, though the southern hills are more open with longer views.

Location & Setting

This RLCA comprises an irregular area of low hills and plateau, which divides the Lough Neagh Basin to the east from the Omagh Basin to the west. It sits to the south of the main ridge of the Sperrins, and is mainly in County Tyrone. The area is fringed by higher hills on its northern sides, including the Sperrins to the north, Mullaghcarra to the north-west and Slieve Gallion to the north-east. To west and east the plateau slopes down to lowland farmland, towards Omagh and Cookstown respectively. The plateau hills extend south around Pomeroy to Slievemore, which overlooks the Clogher Valley at Ballygawley.

To the north and west of the Carrickmore Plateau are the uplands of the Sperrins (RLCA 7). To the east, Slieve Gallion and the adjacent lowland around Cookstown form RLCA 11, sloping down to Lough Neagh. The southern Pomeroy Hills overlook the drumlins around Dungannon (RLCA 13) and the Clogher Valley (RLCA 3), and the lowland to the south-west is within the Omagh Basin (RLCA 4).

Landscape Character Description

This area of low uplands lies at elevations between 150m and 300m, with a group of higher hills at Davagh Forest rising to Oughtmore (382m). It comprises the Carrickmore Plateau in the north and the Pomeroy Hills to the south. These areas are upland in character, with landcover dominated by peat bog, rough grazing and coniferous forestry, though with significant areas of enclosed pasture. Mineral extraction is ongoing in several locations across the landscape.

The Carrickmore Plateau is an extensive area of relatively even topography, largely occupied by peat bogs and forest. It is broad and flat for the most part, with low rocky hills rising in places. To the north-west it is dissected by the Owenkillew River valley, forming more sheltered upland pastoral areas within the exposed plateau. The peat bogs in this area have formed since Neolithic times, when the area was farmed and settled. Removal of peat has revealed numerous monuments of this phase, including a number of notable stone circles.

A low ridge bounds the plateau north of Carrickmore, and the hills to the south form a relatively continuous block between Pomeroy and Ballygawley. These hills are more undulating in form, with open rough grazing and peat on high ground, and a fringe of enclosed pasture. Large-scale forestry and mineral extraction are again significant features.

Key characteristics:

- *An area of low hills, mainly below 350m, forming a broad plateau which separates the Lough Neagh and Omagh basins, narrowing to the ridge of the Pomeroy Hills to the south.*
- *Radial drainage pattern of upland streams and rivers flowing outward from the centre of this area.*
- *Remarkable concentrations of important Neolithic monuments, including the well-known stone circles of Beaghmore, which predate the development of peat bog over the area.*
- *Broad expanses of peat bog on the open upland plateau, giving way to enclosed upland pasture and rough grazing around Pomeroy and Carrickmore.*
- *Scattered upland settlements around the edges of this area, on the fringes of the adjacent basins and along pastoral valleys.*
- *Glacial deposits of sand and gravel in the form of eskers and moraine, which are being extracted at several large quarries; there are stone quarries further south.*
- *Views north to the Sperrins which frame the plateau around Beaghmore, and broad views east and west over lower-lying landscapes.*
- *A505 and B4 are important east-west routes across the hills."*

Local Landscape Character Areas (LLCAs)

- 6.23 The earlier Northern Ireland Landscape Character Assessment (NILCA) undertaken in 1999 subdivided the countryside into 130 Landscape Character Areas (LLCAs), each based upon local patterns of geology, landform, land use, cultural and ecological features. For each LLCA, the key characteristics were described and an analysis of landscape condition and its sensitivity to change was made. This information was used to inform the 2015 NIRLCA, and both are used as the basis for this assessment.

Local Landscape Character Areas to be assessed

- 6.24 On the basis of extensive experience of landscape assessment and the type and scale of development proposed, effects on landscape character are unlikely to result in significant effects over distances in excess of 15km. The assessment of landscape effects, contained in **Chapter 8: Assessment of Landscape Effects** is therefore tailored to focus on likely potential significant effects. **Table 6.1** lists the LLCAs which are found within 15km of the site, and describes the level of theoretical visibility of the Curraghinalt Project from each LLCA, with reference to the ZTV (**Figure 6.5a**).
- 6.25 In order to focus on potentially significant effects, LLCAs of which the site is not a part and from which the proposed project will (i) not be visible; (ii) will be visible only intermittently at a distance; or (iii) where key characteristic views are not focused towards/include the LLCA of which the site is a part; are not considered further in the assessment, since there is no likelihood that their intrinsic character will be affected to a significant degree.
- 6.26 Significant effects on landscape character occur where the presence of the new development alters perceptions of the landscape and begins to subvert other key characteristics. They may arise during the construction, operation and closure phases. This is unlikely to occur in an area where the new development will be viewed as a distant feature in a limited number of views. It is also unlikely if the key characteristics of LLCAs do not include views of the surrounding landscape or the LLCA of which the site is a part. Effects on views may still occur, and may still be significant, and these are examined further in **Chapter 8: Assessment of Visual Effects**.

Table 6.1 Local Landscape Character Areas

Landscape Character Areas (LLCAs)	Potential theoretical visibility of the Proposed project (as indicated by extent of ZTV within 15km)
22 Omagh Farmland	Located approximately 14km to the south of the Curraghinalt Project. Limited visibility at the north-eastern periphery of this LLCA, however, visibility of project components unlikely to be discernible at this distance and not likely to result in significant landscape effects – not considered further in assessment.
23 Camowen Valley	Located approximately 9km to the south, south-west of the Curraghinalt Project. Very limited theoretical visibility from LLCA – not considered further in assessment.
24 South Sperrin	Landscape Character Area which the majority of the development components are proposed within. Considered within the assessment. Direct effects on the LLCA and extensive theoretical visibility of the Curraghinalt Project across immediate surrounding area - considered within the assessment .
25 Beaghmore Moors and Marsh	Landscape Character Area which some of the eastern and southernmost development components are proposed within. Considered within the assessment. Theoretical visibility from areas of LLCA to the east and south-east - considered within the assessment .
26 Bessy Bell and Gortin	Located approximately 4km to the west, south-west of the Curraghinalt Project. Theoretical visibility of project components possible from eastern extents of the LLCA - considered within the assessment .

Landscape Character Areas (LLCAs)	Potential theoretical visibility of the Proposed project (as indicated by extent of ZTV within 15km)
28 Glenelly Valley	Located approximately 5km to the north of the Curraghinalt Project. No theoretical visibility due to intervening topography - not considered further within the assessment.
29 Sperrin Mountains	Located approximately 9km to the north of the Curraghinalt Project. Very limited theoretical visibility of main project components, however existing exploratory works and mine access visible from distant hill summits and upper slopes of the Sperrin Mountains - considered within the assessment.
41 Slieve Gallion	Located beyond 10km to the east of the Curraghinalt Project. Limited theoretical visibility indicated by the ZTV from the elevated and densely wooded areas of Davagh Forest which will further limit any potential visibility from further east, north-east, and not likely to result in significant landscape effects – not considered further in assessment.
43 Carrickmore Hills	Located approximately 5km south-west of the Curraghinalt Project. Theoretical visibility from elevated areas at the northern periphery of the LLCA - considered within the assessment.
44 Slievemore	Located approximately 13km south-east of the Curraghinalt Project. Limited theoretical visibility indicated from elevated areas at the northern extent of this LLCA, including Slievebeg. Visibility of project components unlikely to be discernible at this distance and not likely to result in significant landscape effects – not considered further in assessment.

Local LLCA Descriptions

- 6.27 The development is proposed within LLCA 24 South Sperrin and will extend into LLCA 25 Beaghmore Moors & Marsh. Descriptions of these LLCAs along with the other LLCAs found across the study and considered further in the assessment are quoted below.

24 South Sperrin LLCA

"Landscape Description

South Sperrin includes the upland river valley of the Owenkillew and Owenreagh Rivers and the broad ridges to the south of the Glenelly valley, including the summits of Spaltindoagh (410m) and Mullaghmore (554) to the north of the Owenkillew River and Crocknamoghil (335m) to the south. The broad upland ridges of the Sperrins in this area form a backdrop to the valley landscapes. The mountain skyline is open, with upland grasses and rocky screes on the slopes leading to the summits. The valley slopes are deeply undulating and dissected by tributary burns flowing in rocky, open channels. The lower slopes of Spaltindoagh and Mullaghmore, in the remote eastern parts of the uplands, have conifer plantations with bold, dark shapes. Elsewhere, the river valleys have a diverse pattern of hedgerow trees, small copses and woodlands, with the largest deciduous woodlands, such as Drumlea Wood, on the margins of the Owenkillew River floodplain. Small blocks of conifers have often been planted to shelter farmsteads. Tree cover becomes progressively sparser and more stunted towards the upper slopes, where patches of scrub and coarser grasses form a textured, open mosaic on the edge of the moor.

The character and pattern of the landscape changes gradually from the valley floor to the upper moorland slopes. The slopes of the upper Owenkillew and Owenreagh River valleys are characterised by a patchy mosaic of derelict pastures and scrub, with broken stone walls, earthbanks and gappy remnant hedgerows marking the former pattern of fields. Poorly-drained land is often infested with rushes. The lower river valleys, to the west of the confluence of the Owenkillew and Owenreagh Rivers, have a more secluded, pastoral character. Here the historic field pattern remains intact and stone walls are often striking landscape features. The village of Gortin is sheltered by the steep slopes of Mullaghcarn to the south, and by the woodlands associated with the Beltrim Castle estate. There is a linear settlement pattern, with small farmsteads strung out at regular intervals along the valley roads. The slightly larger settlements, such as

24 South Sperrin LLCA

Greencastle and Scotchtown are typically sited at the junctions of roads and near to river crossing points. There are prominent raths, and standing stones on the margins of the river floodplains. Lisdoo Rath is a striking example. The small stone bridges at river crossing points are also important local landscape features

Key characteristics:

- *Broad rounded ridges with deep, branching gullies and fast-flowing upland streams;*
- *Meandering rivers are a focus for views - the narrow floodplain is often subdivided by irregular mounds of glacial till;*
- *Patches of peaty marsh in low-lying areas between ridges of moraine and valley sides;*
- *Marginal farmland, with scrub, rushes and moorland vegetation on upper slopes of stream valleys;*
- *Hedgerows and stone walls on lower slopes follow historic townland boundaries and emphasise the undulating landform; and*
- *Narrow lanes along margins of river floodplains - stone bridges at crossing points are local landscape features.*

Landscape Condition and Sensitivity to Change

The river valleys are overlooked by viewpoints from roads on the surrounding ridgetops and the meandering Owenkillew River near Gortin is particularly prominent in views from the popular picnic sites on the ridgetop roads above Gortin. The whole area is therefore extremely sensitive to changes which would affect its unspoilt character and the transition from the secluded valley landscape pattern to that of the upland summits. Derelict cottages and farm buildings are commonplace in the marginal farmland landscapes to the east.

This landscape would be sensitive to the expansion of commercial forestry and to any large scale development, particularly relating to mineral extraction, which would be prominent in views from the surrounding ridges.

Principles for Landscape Management

- *Deciduous species should be used to help integrate conifer shelterbelts and the edges of conifer forests with the natural landform*
- *The restoration of stone walls and earthbanks on the upper slopes (under the ESA programme) will conserve the historic landscape pattern*

Principles for Accommodating New Development

- *New development with a suburban character should not be permitted. It would be out of place and extremely prominent in this scenic and historic landscape setting*
- *There is a risk that small-scale development relating to tourism (car parks, picnic areas, sign posts etc.) may have a cumulative effect; careful siting and the use of local materials will be important in minimising any negative impact."*

25 Beaghmore Moors & Marsh LLCA

"Landscape Description

A relatively elevated, rolling plateau of wide shallow valleys and broad, rounded ridges to the south and east of the Sperrin Mountains. Extensive glacial deposits form irregular ridges and mounds throughout the area. Slopes typically have shallow, smooth profiles, although some quarried outcrops have an irregular skyline. This is an expansive, relatively homogeneous landscape, fragmented in some areas by small conifer shelterbelts protecting the whitewashed farmsteads from the prevailing wind. Despite the conifer woodlands, the area feels exposed. Broad, peaty marsh extends across the shallow valley floors. The pastures on the lower slopes are divided by open, straight drainage channels; in more elevated areas they are often enclosed by low stone walls. Scrubby, stunted hedgerows and wire fences surround fields where stone walls are absent. Extensive conifer plantations on the shallow valley slopes often mask the landform.

The plantations have hard, geometric edges and sometimes form an abrupt transition at the edges of the valley marsh. There are some deciduous woodlands in gullies on valley sides and the incidence of woodland increases towards the slopes of the Sperrins to the north-west. Roads crossing the valley marshes are generally straight and raised on embankments, crossing the many streams at stone, hump-

25 Beaghmore Moors & Marsh LLCA

backed bridges. There are no large villages, only scattered farmsteads, and occasional groups of cottages on higher land. The buildings are typically white-washed and stand out clearly against the dark green backdrop of the shelterbelts. Farm buildings often have red roofs. The farmsteads are prominent and form a visual focus throughout the area.

Key characteristics:

- Shallow low ridges of glacial moraine separated by extensive peaty marsh
- Numerous winding small rivers and tributary streams flow in open channels with scrubby margins
- Pasture predominates on higher land, with exposed moorland on some ridgetops and extensive conifer plantations on shallow slopes
- Most fields enclosed by wire fences or broken scrubby hedgerows
- Small conifer shelterbelts are prominent around most farmsteads
- Few settlements but many farmsteads on higher land, connected by straight, embanked roads
- Bronze Age sites.

Landscape Condition and Sensitivity to Change

Much of the landscape is in poor condition, with broken stone walls and gappy, stunted hedgerows. The area is pitted with sand and gravel quarries. Spoil heaps, quarry scars and hollows often create small-scale, irregular and rather lumpy terrain. Derelict buildings and flytipping are commonplace. Scattered built development has a strong visual influence. The most significant pressure for change is from the large, modern sand and gravel quarries, most of which are close to the A505.

The plant, machinery and vast spoil heaps associated with these quarries have a wide visual influence in this relatively expansive, rolling landscape. Conifer plantations are a strong pressure for change and many are newly planted. They form a large-scale, irregular patchwork which fits fairly comfortably with the extensive valley bogs and marshes and forms a backdrop to the scattering of farmsteads and shelterbelts.

Principles for Landscape Management

- The abrupt boundaries of conifer plantations may be softened by forming indented edges and planting some broadleaves as forests are progressively felled and replanted.
- Restoration of the many small derelict quarries and spoil heaps will improve landscape quality and biodiversity.
- The removal of fly-tipping and derelict plant from quarrying activities will improve the quality of the landscape.
- The structure of the landscape would be improved by the restoration of stone walls, particularly near the slopes of the Sperrins to the north.

Principles for Accommodating New Development

- Much of the area is unsuitable for larger scale development as it is low-lying and marshy; such development would also be out of character with the existing scattered farmsteads.
- There are opportunities to restore existing derelict buildings; new development in such locations should be relatively low in height.
- Buildings, and their associated conifer shelterbelts, are generally prominent on low ridges and new buildings could be more carefully integrated using broadleaf trees as well as conifers to form shelter.
- The long term restoration of the large active sand and gravel quarries along the A505 will provide a significant opportunity to reinforce local landscape character and quality."

26 Bessy Bell & Gortin LLCA

"Landscape Description

The Bessy Bell and Gortin landscape is a distinctive, scenic and much visited part of the North West; the twin peaks of Bessy Bell and Mary Gray form a gateway to the south of the Sperrins. The high summits of Mullaghcarn (542m), Slieveard (419m) and Bessy Bell (420m) are outliers to the south west of the

26 Bessy Bell & Gortin LLCA

principal Sperrins range. They are divided by the scenic valley of the River Strule, which flows northwards from Omagh towards the Foyle.

In common with the rest of the Sperrins, the high summits of Mullaghcarn and Slieveard have a dramatic, mountainous appearance, with distinct, sharp ridges and rocky summits. The slopes are littered with grey scree and carved by steep, fast-flowing burns, which flow in deep gullies. A long ridge extends from the main mountain block to the north-west, enclosing the undulating valley of Cappagh Burn and its branching tributaries. Its sequence of lower summits, Ballnatubbrit Mountain, Beauty Mountain and finally, Mary Gray, form a scenic backdrop to views along the Strule Valley. The lower slopes of the Mullaghcarn Mountains have a striking landscape pattern, with stone walls and earth banks following the historic townland boundaries. The stone farmsteads on these slopes are an attractive element in most views. The western slopes of Mullaghcarn are covered by the extensive conifer plantations of the Gortin Glen Forest, which forms a prominent blocky pattern on the steep slopes.

To the west of the Strule, Bessy Bell, and the neighbouring smaller summits of Deer's Leap and Forster's Mountain, have a more rounded character, in common with the foothills to the north of the Sperrins. The open summits are capped with open moorland, with a transition to marginal pastures and richer farmland on the lower slopes. The wind farm on the slopes of Bessy Bell is a prominent local landmark. From the confluence with Cappagh Burn to Newtown Stewart, the Strule River meanders within a deeply incised, wooded channel, with the road on a river terrace alongside. To the south, the river is more visible as it winds between fertile fields and the woodlands of the Mountjoy Estate. The valley to the west of Bessy Bell is dominated by the woodlands and deer park of the Baronscourt Estate. The river channel has been dammed to create a sequence of loughs on the valley floor.

Key characteristics:

- Scenic, accessible landscape on the western fringes of the Sperrins; steep mountain of Mullaghcarn to east and rounded moorland summit of Bessy Bell to west;
- River Strule flows within incised, wooded valley, with roads following river course on terraces alongside;
- Diverse landscape pattern, with a transition from steep, wooded river banks to farmland to open moor within relatively short distances;
- Hedgerows enclose all fields, becoming gappy, with wire fencing on higher land; stone walls in areas of higher land close to the Sperrins;
- Relatively dense tree cover, with numerous hedgerow trees and small copses; landscape becomes more open on elevated slopes; and
- Long scenic views from mountain slopes and along valley.

Landscape Condition and Sensitivity to Change

This is a highly accessible and scenic landscape. Mullaghcarn and Gortin fall within the Sperrins AONB, but Bessy Bell and the adjacent Baronscourt Estate are classified as part of the Sperrins Foothills Area of Scenic Quality. The landscape as a whole is in good condition and is extremely sensitive to change and the mountain slopes form a backdrop to the long river views.

The upland summits and steep upper slopes are particularly sensitive to changes, such as the introduction of transmission masts or commercial forestry; the wind farm on Bessy Bell and the plantations of the Gortin Glen Forest are already prominent. The river corridor is also extremely sensitive to change and its scenic character would be affected by any form of built or infrastructure development along the valley roads. The historic landscape of the Baronscourt Estate is also sensitive to the impact of change from tourist developments and from commercial forestry.

Principles for Landscape Management

- Deciduous species may be used to soften harsh edges of plantations and to integrate them with the neighbouring upland and valley landscapes
- Hedgerows and riverside woodlands are important in defining the landscape pattern and should be priorities for conservation & restoration.

26 Bessy Bell & Gortin LLCA

Principles for Accommodating New Development

- *Siting new development within the existing settlements of Newtown Stewart and Gortin will help to retain the rural, scenic qualities of this special landscape; these settlements have distinctive and robust landscape settings and may accommodate some sensitively designed development.*
- *The undulating glacial landforms and existing tree cover within parts of the valley may offer some opportunities to shelter new development.*
- *Compact two-storey farms with red-roofed outbuildings are characteristic."*

29 Sperrin Mountains LLCA

"Landscape Description

The Sperrin Mountains form a spine across the North West and a backdrop to views. Formed from resistant metamorphic Dark Schists and Upper Glenelly Schists, they extend broadly east - west across the southern part of County Londonderry and the northern part of County Tyrone. The steeper summits average 500m, with the highest peak, Sawel Mountain, rising to 678m. The Sperrins have a dramatic, mountainous appearance; the ridges have a broad, rounded profile, leading to summits with a rocky, pointed silhouette. Glacial deposits sometimes form mounds and terraces along the lower slopes, softening and confusing the natural beak of slope.

Fast-flowing moorland streams are fairly straight and open in character, sometimes eroding deep channels between steep ridges of glacial moraine. Deep gullies, some with broken, eroded edges, create strong dendritic patterns, carving and moulding the steep slopes into striking forms. Outcrops of grey rock and minor screes litter many of the slopes. Water flows in deep gullies to the upland plateau. Summits have extensive areas of bog supporting acres of heather and rushes. The bogs are punctuated by small, rounded loughs, the source of many streams.

Key characteristics:

- *Broad, rounded ridges with rocky outcrops leading to steep, pointed summits*
- *Deep, branching gullies and open, fast-flowing moorland streams*
- *Carpet of open moorland pasture and heather with extensive bog and areas of damp grassland on flatter land and lower slopes*
- *Earthbanks and stone walls follow historic townland boundaries on lower slopes; some pastures are derelict and infested by scrub and rushes*
- *Winding moorland roads and straight tracks leading across contours*
- *Broadleaf woodland concentrated within lower valleys; some conifer woodland on mountain slopes. Isolated barns on upper slopes; clachans and farmsteads in valleys*

Landscape Condition and Sensitivity to Change

This open mountain landscape is extremely sensitive to change since even relatively small elements in the landscape, such as electricity pylons or a single building are visible over long distances. The most significant pressures for change are from conifer plantations, mineral extraction and windfarms on the upper slopes, and built development on the valley slopes. The upland summits are generally in good condition, but the quality of the landscape deteriorates towards the edges of the character area, particularly on the lower summits to the west, where transmission masts, roads and conifer plantations have a cumulative negative influence.

Conifer plantations are often very extensive and form vast homogeneous blocks which mask out the subtle variations of colour and landform which are such an important local characteristic. The Sperrins have long been the source of building materials and are now subject to exploration for gold. The quarries form prominent scars on the landscape, visible for miles around. The plant, machinery and roads associated with the works are also a negative visual influence. There is very little evidence of new buildings on these upland slopes.

29 Sperrin Mountains LLCA

Principles for Landscape Management

- *The large scale of the landscape is best reflected by large woodlands, rather than small, isolated stands; the edges may be softened by broadleaf planting designed to utilise natural diversity of landform.*
- *Restoration of abandoned quarries and the removal of derelict plant and fly-tipping would enhance the upland landscape.*
- *Restoration and conservation of stone walls and earthbanks would conserve the historic townland boundaries and associated field patterns.*

Principles for Accommodating New Development

- *Any form of built development would be extremely visually intrusive and would threaten the intrinsic qualities of this landscape, in particular, its valued sense of wild remoteness.*
- *The wider landscape setting of archaeological sites is especially sensitive to the impact of built development and should be conserved.*
- *The use of local stone for new buildings, or for the restoration of older properties is essential to help integrate new development, particularly where it is prominent on lower mountain slopes."*

43 Carrickmore Hills LLCA

Landscape Description

The Carrickmore Hills are a distinctive upland landscape to the south of the Sperrins. The area is underlain by a variety of igneous rocks which form an elevated plateau, with numerous steep, rocky granite summits, including Evishanoran Mountain, Cregganmore and Loughmacrory Hill. Parts of the plateau are raised bog and there are numerous rounded loughs, particularly in an area known as The Murrins. The landform of the plateau is undulating, with ridges of glacial moraine and rocky outcrops giving the landscape an irregular pattern and scale. The summits have a more irregular, rocky landform and distinctive, crinkled silhouettes which are landmarks for miles around.

Fields on the fringes of the upland have a more even scale and form, but become increasingly irregular and deeply undulating on the steep slopes of the rocky summits. Most are partially enclosed by hedges and wire fencing, with rough stone walls made of large boulders in some areas. Gorse predominates in the hedgerows, giving them a distinctive, lumpy character. Scrubby, regenerating birch/alder woodlands give an irregular, patchy landscape pattern in poorly drained hollows. The uplands are exposed, with relatively few hedgerow trees, except at the entrances to farms. There are some small blocks of conifers, for instance to the north of Pomeroy, and occasional larger plantations. Hedgerow ash trees are common around fields at lower elevations, where houses are located at road junctions and small farms set back from the road and reached by narrow, angular tracks.

Key characteristics:

- *Steep, rocky summits with a crinkled ridge-top profile, separated by extensive moss and small, rounded loughs. Irregular, deeply undulating landform in areas of glacial moraine*
- *On higher land, small, rough pastures are enclosed by gorse hedgerows and wire fences or by granite boulders and earthbanks form the margins to some fields*
- *Rolling lowland landscape of poor quality farmland with patches of marsh and rush infested pastures in low-lying areas*
- *Narrow, twisting roads link scattered farms on lower slopes; small settlement clusters are concentrated at junctions*
- *Scrubby woodland on margins of marsh; tree cover becomes sparse and the landscape more exposed on elevated land*
- *Extensive sand and gravel quarrying*

43 Carrickmore Hills LLCA

Landscape Condition and Sensitivity to Change

This is a landscape of marginal farmland, which has a rough character and is in relatively poor condition. Few of the field boundaries are complete, there are substantial areas of waste ground and fly tipping is a common problem. The upland summits are relatively small in comparison to the surrounding uplands and their distinctive rocky skylines are extremely sensitive to change.

The uplands are a landmark from a wide area and even small changes, due to mineral extraction, built development or the introduction of forestry would have a detrimental impact. The most obvious current pressure is from sand and gravel quarries; the area is pitted with quarry scars and spoil heaps. There is a possibility that the rich archaeological heritage is at risk.

Principles for Landscape Management

- *This diverse, irregular landscape pattern would easily be masked by extensive commercial forestry; extensive tree planting in upland areas requires careful visual analysis*
- *There are opportunities to restore some of the quarries, maximising their ecological value and removing fly-tipping or derelict plant*
- *The restoration of earth banks and stone walls, using local boulders, would conserve this unique landscape feature*

Principles for Accommodating New Development

- *The wild character and small-scale undulating landform of upland areas could be eroded by built development, particularly if the buildings are of a substantial scale*
- *On the lowland fringes the rolling landform, tree cover and scattered settlement pattern suggest that there are opportunities to accommodate further built development, provided it is accompanied by substantial planting*
- *Whitewashed buildings and red-roofed barns are characteristic features of the landscape which could be imitated by new development"*

Designated Landscapes

- 6.42 The areas of landscape within the study area which are designated for their scenic or landscape value are described below and shown on **Figure 6.4**, and are shown overlaid onto the ZTV on **Figure 6.4a**.

Area of Outstanding Natural Beauty (AONB)

- 6.43 Area of Outstanding Natural Beauty (AONB) designations help to protect, conserve, promote and facilitate public access to landscapes of national importance for the people who live there, visitors and everyone who comes to enjoy their special qualities. The AONB designation is indicative of the scenic quality of the landscape. Relevant policy associated with the AONB is introduced in **Chapter 3** of this report.
- 6.44 The development is proposed within the Sperrin AONB which comprises an area of just over 118,200ha.
- **Sperrin AONB** – The Sperrin AONB was originally designated in 1968 under the 1965 Amenity Lands Act and latterly in 2008 under the Nature Conservation and Amenity Lands (NI) Order (NCALO) 1985 with a revised boundary which states: *"lying in the heart of Northern Ireland, the Sperrin AONB encompasses a largely mountainous area of great geological complexity. Stretching from the Strule Valley in the west to the perimeter of the Lough Neagh lowlands in the east this area presents vast expanses of moorland penetrated by narrow glens and deep valleys. In its south, the Burren area is noted for its lakes, sandy eskers and other glacial features. The area is rich in historic and archaeological heritage and folklore."*²¹

²¹ <https://www.daera-ni.gov.uk/articles/sperrin-aonb>

“The Sperrin AONB was designated in 2008 under the Nature Conservation and Amenity Lands (NI) Order 1985. This enables the Department of Environment to formulate proposals to:

- *conserve or enhance the natural beauty or amenities of the area;*
- *conserve wildlife, historic objects or natural phenomena within it;*
- *promote its enjoyment by the public; and*
- *provide or maintain public access to it.”*

- 6.45 Lying in the heart of Northern Ireland the Sperrin AONB encompasses a largely mountainous area of great geological complexity, and stretches from the Strule Valley in the west to the perimeter of the Lough Neagh lowlands in the east. This area presents vast expanses of moorland penetrated by narrow glens and deep valleys. In its south the Burren area is noted for its lakes, sandy eskers and other glacial features. The area is rich in historic and archaeological heritage and folklore.
- 6.46 Management plans are often developed for AONBs to set out appropriate management measures to conserve and enhance the landscape quality of these designated landscapes, however, very little descriptive information exists for the Sperrin AONB, and no management plan currently exists for it²².
- 6.47 In terms of more local features of the AONB in the vicinity of the Curraghinalt Project, the following are noted:
- An intact and designated area of native woodland along the south side of the Owenkillew River (Drumlea-Mullan Wood);
 - Archaeological features which are marked on maps and/or signposted in the area including:
 - Ogham Stone and Standing Stone near Crouck Bridge; and
 - Cloghmore Chambered Grave and Doonroe Cairn east of Glenhull.

Areas of Scenic Quality

- 6.48 The NILCA also defines sixteen potential Areas of Scenic Quality (ASQ) which represent landscapes that are considered to be important at a regional level within Northern Ireland, representing a second tier (below AONBs) in the hierarchy of landscape classifications. The nearest ASQs are located beyond the extents of the 15km study area and are unlikely to experience any or very limited theoretical visibility of the Curraghinalt Project (as shown on **Figure 6.4a** and **Figure 6.5a**). Potential effects on the key landscape characteristics on these non-statutory designated landscapes or views from these landscapes are therefore not considered further in the assessment.

Visual Baseline

- 6.49 This section identifies the extent of potential visibility of the Curraghinalt Project, and identifies visual receptors (people) to be considered in the assessment. This section also introduces the representative viewpoints that are used to assess visual effects on people, including the reasoning for their selection.

ZTV Analysis

- 6.50 ZTVs were generated to indicate the extent of theoretical visibility of the process plant buildings show on **Figure 6.3a** and the DSF, the largest and most extensive component of the Curraghinalt Project at different stages of development (Year 5, Year 11 and Year 20 – Maximum extents) as shown on **Figures 6.3b-d**, across the study area, extending to an area of approximately 15km radius from the outermost components within which the maximum extent of potential significant visual impacts are considered likely to be contained (shown on **Figures 6.3a-d**). The ZTVs are

²² A Proposed Future Search Process for the Sperrins is currently in the early stages of development, in order to establish a new shared vision and strategy for the management of the Sperrins region, including the extents of the Sperrin AONB.

based on a bare ground terrain model and therefore illustrate a 'maximum case scenario' with no account taken of screening by intervening vegetation and buildings.

Analysis of Visibility across the Study Area

- 6.51 The study area is described in the landscape baseline earlier in this section of the report. The ZTVs are calculated based on the maximum vertical and horizontal extents of the DSF at Year 5, Year 11 and Year 20 (maximum extent) from a viewing height of 2m above ground level. Theoretical visibility is illustrated by a colour spectrum, indicating the areas where the process plant buildings, and the different stages of the DSF are likely to be visible during the operational phase.
- 6.52 Generally the highest levels of visibility will be experienced in views from the south of the project site, and contained within a distance of approximately 10km. Limited levels of visibility will be experienced from more elevated areas to the north and east, and views from the west along the Owenreagh Valley will be very limited, with some distant visibility likely to be experienced from higher hills within the Glenpark Forest Park to the south-west.

Theoretical visibility of project components within 3km

- 6.53 Within 1km of the Project Site, extensive theoretical visibility of the process plant buildings will be possible prior to development of the DSF, and as the operational phase progresses visibility of the DSF will increase in extent. Areas of theoretical visibility are indicated to south of the ridge, largely between Pollanroe Bridge in the east and to the east of Altateel Bridge. Between 1km and 3km, theoretical visibility is largely concentrated across elevated areas to the south of the Owenreagh River Valley, where generally higher levels of visibility are predicted. From some areas of lower ground, the ZTVs indicate that the DSF will become visible in the latter part of the operational phase (Year 11 and Year 20). Some visibility of the DSF during the operational phase is indicated from areas around Greencastle and Slievemenagh to the east, and across the slopes of Greenan Hill and Oaghmonicroy Hill in the north.

Theoretical visibility of project components within 5km

- 6.54 Between 3km and 5km, visibility is largely indicated from areas to the south-east of Glenmaccoffer Road in the west and Crockanboy Road in the east. The ZTVs indicate relatively high levels of visibility from elevated slopes, with no visibility indicated from lower lying areas near Glensawisk Burn and Cashel Burn. Visibility of the DSF from Crockanboy Road will be possible throughout the operational phase. Some limited areas of visibility from the north are also indicated; including areas to the south and north-east of Greenan Hill and to the east and west of Oaghmonicroy Hill. Visibility from these areas is likely to predominantly be of the process plant buildings and cell one of the DSF once it reaches its maximum vertical height (at c. Year 5).

Theoretical visibility of project components within 15km

- 6.55 From distances between 5km and 15km, visibility will become increasingly intermittent, with the highest levels of predicted visibility shown to be beyond 5km, across the eastern slopes of Mullaghcarn, at the edge of the Glenpark Forest Park, and Crocknakeeferty and Mulderg to the south-west. Small areas of visibility are also indicated to the south near Mulnafye of Barraclay, Laght Hill, Black Hill and Creggan Rocks. Visibility from the north and east is generally limited, with some areas where the ZTVs indicate potential for views east of the Glenelly Valley. Limited visibility of the process plant buildings and DSF (once cell one reaches its maximum vertical extent at approximately Year 5) from some slopes of the Sperrin Mountains is indicated by the ZTVs. Theoretical visibility is indicated from the southern slopes of Dart Mountain and southern and eastern slopes of Sawel Mountain, however, views towards the project site from these areas will be at distances of over 10km, at which the process plant buildings and DSF will only be seen as distant small scale features in the view. Visibility from the west of the study area is generally very limited.

Selection of Viewpoints for Assessment

- 6.56 This section sets out the viewpoints that are used to represent and assess the visual effects of the Curraghinalt Project. The assessment viewpoints do not represent an exhaustive list of locations from which the development will be visible.

6.57 Potential visual receptors include:

- Local residents, mainly scattered farmsteads and small hamlets within the more immediate site context;
- Recreational users, including people using cycle and walking routes, as well as hill walkers; and
- People travelling through the landscape on roads.

Representative Assessment Viewpoints

6.58 Eight viewpoints were selected through review of initial ZTVs, desk study and field work and were subsequently approved with DAERA (formerly NIEA) (as detailed VIA, **are** set out in **Table 2.1** below.

6.59 Table 2.1). An additional ninth viewpoint was identified during fieldwork undertaken in July 2016. These viewpoints are all situated in publicly accessible locations and include:

- locations selected to represent the experience of different types of visual receptor (residential, recreational, travellers);
- specific viewpoints selected because they are promoted viewpoints within the landscape; and
- illustrative viewpoints chosen specifically to demonstrate a particular effect or specific issue (which could include restricted visibility in certain locations).

6.60 The representative viewpoints used to assess the visual effects are listed in **which** also illustrates the ZTV for the DSF at Year 20 (maximum extent).

6.61 **Table 6.2** below and their locations are shown on **Figure 6.6** which also illustrates the ZTV for the DSF at Year 20 (maximum extent).

Table 6.2 Representative Assessment Viewpoints

VP No.	Location	Grid Reference		Approximate distance from project site (km)	Reason for Inclusion
		Easting	Northing		
1	Farmsteads off Crockanboy Road	258031	384011	0.2km	Located on minor road leading from the B46 to the west, south-west of the proposed infrastructure site, representing views experienced by road users travelling north along the road, and similar views experienced from nearby residential properties (farmsteads and individual houses).
2	Mullydoo Road	259180	383993	0.2km	Located on minor road to the east of the proposed infrastructure site, representing views experienced by road users travelling along Mullydoo Road.
3	Crockanboy Road (B46)	258575	383202	0.8km	Situated at the junction of the minor Mullydoo Road and the B46 (Crockanboy Road), this viewpoint represents the views experienced by road users travelling west along this road, and similar views experienced from residential properties in the vicinity.

VP No.	Location	Grid Reference		Approximate distance from project site (km)	Reason for Inclusion
		Easting	Northing		
4	Aghaboy Road – South of site	257291	382073	2.0km	Represents views from residential properties directly south of the proposed infrastructure site, located alongside this minor road and often affording open views north across the Owenreagh River Valley.
5	Greencastle Road	257256	381507	2.8km	Situated on Greencastle road south, south-west of the proposed infrastructure site, this viewpoint represents the views experienced by road users travelling north-east along this road and the similar views likely to be experienced from nearby residential properties.
6	Cashel Rock	259954	380850	3.3km	Representative of views north-west towards the proposed infrastructure site experienced by recreational walkers and visitors to the Cashel Rock hill fort site of archaeological interest.
7	Aghaboy Road – South-west of site	255689	381866	3.5km	Viewpoint located adjacent to the minor Aghaboy Road south of the scattered settlement of Aghaboy, and representing the views experienced north-east towards the proposed infrastructure site by road users and nearby residential receptors.
8	Barony Road (A505)	256751	379452	4.9km	Situated on the main A-road through the study area and part of the Central Sperrins Scenic Route; the A505 (Barony Road), this viewpoint represents views north, north-east towards the proposed infrastructure site, experienced by road users travelling east along the road.
9	Mullaghcarn	251052	380975	8.0km	Illustrative of long distance views from south-west of the proposed infrastructure site, representing views experienced by recreational walkers/cyclists at the summit of Mullaghcarn mountain on the edge of the Gortin Glen Forest Park.

Settlements

- 6.62 The main settlements located across the study area are listed in
- 6.63 **Table 6.3** below. The extent of theoretical visibility from each is considered, and a judgement made on the potential for significant effects on views from the group of properties or settlement, based on the availability of views in the direction of the Curraghinalt Project.
- 6.64 The ZTVs (**Figures 6.3a-d**) show that there will be very limited visibility from any major settlements within the study area.

Table 6.3 Settlements within Study Area

Settlements	Theoretical visibility of proposed project (within ZTV)
Settlements - within 5km	
Greencastle – approximately 2km from site	Majority of settlement outside ZTVs, limited theoretical visibility of project components from north-western edge of settlement west of Greencastle Road. Considered further in assessment.
Rouskey – approximately 3km from site	Settlement outside ZTVs. Not considered further in assessment.
Glenhull – approximately 2.5km from site	Settlement outside ZTVs to north side of broad ridge. Not considered further in assessment.
Scotch Town – approximately 4.5km from site	Settlement outside ZTVs to north side of broad ridge. Not considered further in assessment.
Settlements - 5km > 15km	
Creggan – approximately 7km from site	Theoretical visibility of project components indicated by the ZTVs, however views from scattered properties within this settlement will be screened by extensive forestry plantations to the north of Barony Road and west of Crockanboy Road. Not considered further in assessment.
Mountfield – approximately 7.5km from site	Settlement outside ZTVs. Not considered further in assessment.
Gortin – approximately 9km from site	Settlement outside ZTVs, limited theoretical visibility from hills west and south of settlement. Not considered further in assessment.
Loughmacrory – approximately 8km from site	Majority of settlement outside ZTVs, limited theoretical visibility of project components from north-western edge of settlement north of Ballybrack Road. Not considered further in assessment.
Dunnamore – approximately 8km from site	Settlement outside ZTVs. Not considered further in assessment.
Carrickmore – approximately 12km from site	Settlement outside ZTVs. Not considered further in assessment.
Plumbridge – approximately 12.5km from site	Settlement outside ZTVs. Not considered further in assessment.
Omagh – approximately 15km from site	Settlement outside ZTVs. Not considered further in assessment.

Residential Property Groups

- 6.65 Properties located within approximately 3km radius of the proposed infrastructure site (Area A) were mapped (using data provided by SRK/QUOD) and were then grouped based on their geographical location, distance from the project site and the theoretical visibility indicated by the ZTV shown on **Figure 6.7**.
- 6.66 An assessment of potential changes in the view from each property has not been undertaken, however where appropriate a number of properties have been considered as representative of views experienced from different identified property groups. The nature of the view from properties, including the direction of the view, the orientation of buildings, location of garden or curtilage areas, access and the presence of intervening features such as vegetation are considered, whilst the seasonality of vegetation screening and potential changes to forestry are referred to where applicable.
- 6.67 All residential receptors (people) are considered to be of high susceptibility to changes in views from their place of residence (property, curtilage, and access). An appreciation of the surrounding view is often material to the quality of life from residential properties, they are however judged to be of medium value. Taking account of the susceptibility of receptors and the value of the view, the overall sensitivity of residential receptors is judged to be **high**.
- 6.68 As indicated by **Figure 6.7** a large number of residential properties lie outside the ZTV, and are generally situated to the north, north-west and north-east of the Curraghinalt Project site. The lack of visibility from these areas is largely due to the visual shadow created by the broad ridge. Some limited theoretical visibility is indicated from the north-east of the proposed project site, with a small area of potential visibility to the south of Oaghmonicroy Hill, which is likely to be experienced by a very small number of properties north-east of Glenhull (noted as **Property Group A** in **Table 6.4**). However, sequential views of the proposed project are likely to be experienced when travelling to and from properties, within the areas where the ZTV indicates theoretical visibility of the DSF.
- 6.69 Groups of residential properties located within the ZTV are outlined in **Table 6.4** below, potential effects on views from each will be considered in the assessment of visual effects. Details of individual properties located within each residential property group are contained in **Appendix 3**.

Table 6.4 Residential Property Groups within 3km of project site

Residential Properties Groups	Theoretical visibility of proposed project (within ZTV)
Residential Property Groups – within approximately 3km	
Residential Property Group A	Three residential properties located on Gortcashel Road, over 3km from the site including properties on the road running north-east, east of the Owenkillev River. The ZTV indicates theoretical visibility of the DSF, predominantly in the latter part of the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group B	53 residential properties located on Crockanboy Road and Mullydoo Road, east of Greencastle at distances of 2km to 3km east of the site. The ZTV indicates theoretical visibility of the DSF, predominantly in the latter part of the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group C	12 residential properties located in the northern part of Greencastle, including properties located north of Crockanboy Road, 1 to 2km east of the site. The ZTV indicates theoretical visibility of the DSF, predominantly in the latter stages of operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.

Residential Properties Groups	Theoretical visibility of proposed project (within ZTV)
Residential Property Group D	81 residential properties located in the southern part of Greencastle South, including properties located south of Crockanboy Road, 1 to 2km south-east of the site. The ZTV indicates theoretical visibility of the DSF, predominantly in the latter part of the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group E	14 residential properties located north of Crockanboy Road, within 1km south of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group F	17 residential properties located south of Crockanboy Road, within 1km south of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group G	7 residential properties located along Cashel Road to the south-east of Cashel Bridge, within 1km to 2km south-east of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group H	24 residential properties located along Aghaboy Road, mainly between Campbell's Bridge in the east and Cashel Bridge in the west, within 1 to 2km south-west of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group I	15 residential properties located between Fallagh Lower and Fallagh Upper, within 1 to 3km south-east of the site. The ZTV indicates theoretical visibility of the DSF, predominantly in the latter part of the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group J	21 residential properties located along Greencastle and Cashel Road south of Cashel Bridge within approximately 2 to 3km south of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group K	12 residential properties located along near Brackagh South, over 3km south of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group L	11 residential properties located along Inisclan Road, near Cornagillach Bridge over 3km south of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.
Residential Property Group M	22 residential properties located along Fallagh Road, and Aghaboy Road approximately 2 to 3km to the south-west of the site. The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.

Residential Properties Groups	Theoretical visibility of proposed project (within ZTV)
Residential Property Group N	<p>Eight residential properties located along Lenagh Road over 3km to the south-west of the site.</p> <p>The ZTV indicates theoretical visibility of the DSF throughout the operational phase. Visibility of project components will vary in extent dependant on the orientation, outlook and available screening at individual properties.</p>

Routes

- 6.70 Visual effects on views from key roads, recreational routes (e.g. long distance footpaths and cycle routes) located across the study area, and that fall within the ZTV (refer to **Figure 6.8**) are listed in **Table 6.5** below. In order to focus on potential significant effects, routes with very limited theoretical visibility of the proposed project and/or those located beyond 15km are not considered in the assessment.

Table 6.5 Routes within Study Area

Route	Theoretical visibility of proposed project (within ZTV)
Roads	
B46 – Crockanboy Road - within 5km of the site	<p>The B46 is located to the south of the proposed project, running through Gortin and Creggan.</p> <p>Theoretical visibility from sections of road to south-east, south and south-west of the site.</p> <p>Considered further in assessment.</p>
A505 – Barony Road - within 10km of the site	<p>The A505 is located to the south of the proposed project, running between Cookstown in the east and Omagh in the west.</p> <p>Theoretical visibility indicated from sections of the road to the south.</p> <p>Considered further in assessment.</p>
B47 - within 10km of the site	<p>The B47 is located to the west of the proposed project, running through Gortin.</p> <p>Very limited theoretical visibility from this route.</p> <p>Not considered further in assessment.</p>
B48 - within 10km of the site	<p>The B48 is located to the north-west of the proposed project, running though Plumbridge.</p> <p>Very limited theoretical visibility from this route.</p> <p>Not considered further in assessment.</p>
B536 - within 10km of the site	<p>The B536 is located to the north of the proposed project, running though Plumbridge.</p> <p>Very limited theoretical visibility from this route.</p> <p>Not considered further in assessment.</p>
Minor roads - within 5km of the site	<p>This refers to the minor road network located within 5km of the proposed project site</p> <p>Varying extents of theoretical visibility likely from the following local minor roads:</p> <ul style="list-style-type: none"> - Mullydoo Road - Crockanboy Road - Aghaboy Road - Aughnamirigan Road - Pollanroe Road - Fallagh Road

	<ul style="list-style-type: none"> - Greencastle Road - Inisclan Road <p>Effects on sequential views experienced from local minor road network considered further in assessment.</p>
Scenic Driving Routes	
Central Sperrins Scenic Driving Route²³ - follows route of B46 and A505 - within 5km of the site	<p>Promoted tourist/scenic driving route which passes to the east, south-east of the site along the B46 at its closest point, and north of the site along the Owenkillev Valley.</p> <p>Limited theoretical visibility from this route from sections to the east, south-east of the site, and more distant views from the A505 to the south</p> <p>Considered further in assessment.</p>
South Sperrins Scenic Driving Route²⁴ - follows the B48 and B46 through the Gortin Glen Forest Park and Gortin - within 10km of the site	<p>Promoted tourist/scenic driving route which passes through the Owenreagh Valley and Gortin at its closest point to the site.</p> <p>Very limited theoretical visibility from this route.</p> <p>Not considered further in assessment.</p>
Barnes Gap Scenic Route²⁵ - follows the B47 north from the Owenkillev Valley - within 10km of the site	<p>Promoted tourist/scenic driving route to the north-east of the site and signposted north from the Owenkillev Valley.</p> <p>Very limited theoretical visibility from this route.</p> <p>Not considered further in assessment.</p>
Glenhull Scenic Route - Gorticashel Road - within 5km of the site	<p>Driving route signposted to the north of the Owenkillev Valley.</p> <p>No theoretical visibility from this route.</p> <p>Not considered further in assessment.</p>
Walking Routes	
Vinegar Hill Loop²⁶ - within 5km of the site	<p>The Vinegar Hill Loop, an 11km circular walking route passes approximately 1km to the north-west of the exploratory mine works, where it joins Gorticashel Road.</p> <p>Walking route to the north of the Owenkillev Valley.</p> <p>No theoretical visibility from this walking route.</p> <p>Not considered further in assessment.</p>
Ulster Way²⁷ - within 5km of the site	<p>Walking route along the Glenelly Valley to the north.</p> <p>No theoretical visibility from this walking route.</p> <p>Not considered further in assessment.</p>
Cycle Routes	
Gold Cycle Route²⁸ - Gorticashel Road - within 5km of the site	<p>Along the Owenkillev Valley.</p> <p>No theoretical visibility from this cycle route.</p> <p>Not considered further in assessment.</p>

²³ <http://www.discovertyroneandsperrins.com/site/wp-content/uploads/2014/10/Inside-Final.1.pdf>

²⁴ <http://www.discovertyroneandsperrins.com/site/wp-content/uploads/2014/10/Inside-Final.2.pdf>

²⁵ <http://www.discovertyroneandsperrins.com/attraction/barnes-gap-scenic-route/>

²⁶ http://www.walkni.com/d/walks/536/Vinegar_Hill_Loop.pdf

²⁷ <http://www.walkni.com/ulsterway/sections/lough-bradan-to-gortin/> & <http://www.walkni.com/ulsterway/sections/gortin-to-moneyneany/>

²⁸ http://www.cycleni.com/d/routes/91/gold_cycle_route.pdf

White Hare Cycle Route²⁹ - within 5km of the site	Promoted 58km circular cycling route, passes through Greencastle approximately 2km to the east. Limited theoretical visibility from this cycle route to the east, south-east of the site. Considered further in assessment.
Cycle Network Route 95³⁰ - Gorticashel Road - within 5km of the site	Promoted national cycle network route which shares a similar route to the Gold Cycle Route along the Owenkillev Valley. No theoretical visibility from this cycle route. Not considered further in assessment.
Cycle Network Route 92³¹ - within 10km of the site	Promoted national cycle network route which follows the B46 through Gortin. No theoretical visibility from this cycle route. Not considered further in assessment.

Key Visual Considerations

6.71 The following list summarises the key areas of potential visibility and visual receptors which are examined in the assessment of visual effects:

- The south facing slopes north of the Owenreagh River valley, between Rouskey and Greencastle, including the B46 road and scattered properties on the north-east side of the Owenreagh River Valley.
- The village of Greencastle (and the two schools, shop and pub located here) which is located on the south-west facing flanks of the Owenreagh River valley between Crockanboy Hill and Slievemenagh, and which is predominantly orientated to look south;
- Parts of the south-western slopes above the Owenreagh River valley including to the east and west of the confluence with the Glensawisk Burn, including scattered properties around Binnafreaghan on the south side of the Owenreagh River valley, which are predominantly orientated with views northwards towards the site;
- The plateau to the north and south of the A505 and to the north-west of Cashel Rock and parts of the area along the B46 to the north of the junction with the A505; and
- The east facing slopes of the hills of Crockanamadan and Mullaghcarn at the eastern edge of the Gortin Forest Park.

Cumulative Baseline Information

6.72 The LVIA also considers the additional landscape and visual effects arising from the introduction of the Curraghinalt Project to a more uncertain and speculative future baseline. Other proposed developments within a 15km radius of the Curraghinalt Project which may give rise to potential significant cumulative landscape and visual effects, including those which have a planning consent, or are the subject of an undetermined valid planning application, were identified by [REDACTED] through the Planning Northern Ireland and Planning Online in June 2017. The complete list of developments identified by [REDACTED] is contained in **Appendix 4**.

Other Developments to be considered in the Cumulative LVIA

6.73 A review of these developments was undertaken to determine the likelihood for potential significant cumulative landscape and visual effects, taking consideration of the following criteria:

²⁹ http://www.cycleni.com/d/routes/122/White_Hare_Cycle_Route.pdf

³⁰ <http://www.sustrans.org.uk/ncn/map/route/route-95>

³¹ <http://www.sustrans.org.uk/ncn/map/route/route-92>

- Type and extent of development proposed;
- The distance between the development proposed and the Curraghinalt Project;
- The arrangement of the development proposed in the landscape or view(s);
- Likely visual influence of the development proposed;
- Potential intervisibility between the development proposed and the Curraghinalt Project;
- Potential for cumulative landscape effects on the physical fabric of the landscape or its scenic qualities (e.g. the Sperrin AONB); and
- The potential for combined, successive and sequential visual effects in the context of the Curraghinalt Project.

6.74 **Appendix 4** provides details of the review undertaken in relation to each development. More detailed information about each of the developments is provided in **ES Chapter 9: Cumulative Impacts**.

6.75 As a result of this initial review a number of developments have been scoped out and are not considered further in the Cumulative LVIA (CLVIA). **Table 6.6** below provides summary details of the other developments considered in the CLVIA, and the location of these developments, in relation to the Curraghinalt Project, are shown on **Figure 6.9**.

Table 6.6 Other Developments considered in Cumulative LVIA³²

No.	Proposal description	Development type	Status ³³	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
<i>Developments within <5km radius of application site</i>					
8	650m of new overhead line consisting of eight new wooden poles to supply a wind turbine (LA10/2016/0338/F)	Overhead powerline	Consented	1.35km to west, north-west	Intervisibility of proposed overhead line and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
10	11kv overhead line to supply wind turbine (LA10/2015/0711/F)	Wind turbine	Consented	2.1km to north-west	Intervisibility of proposed overhead line and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
13	Installation of a 15m high lattice tower with 6 antennas and 2 dishes. The development includes the installation of 6 equipment cabinets, ancillary development within 2.2m high fencing and new access lane. (LA10/2015/0449/F)	Antenna mast	Consented	315m to east	Intervisibility of proposed communication tower and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA

³² Information obtained by [redacted] from Planning NI and Planning Online 30th June 2017.

³³ Existing/operational, consented, pending consideration/valid planning application submitted or refused.

No.	Proposal description	Development type	Status ³³	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
15	Alteration of 3 no. existing wind turbines approved, from 225kw on 30m towers to 250kw turbines on 50m towers (from ground level to hub) (LA10/2015/0369/F)	Wind turbines	Consented	1.5km to north-west	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
17	A single 250kw wind turbine with a turbine tower of 30m and a blade length of 16.5m (additional information submitted) (LA10/2015/0048/F)	Wind turbine	Appeal pending consideration (2016/A0089)	1.5km to east, south-east	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
21	Amendment to increase turbine output from 50Kw to 250Kw, with an overall height of 54.5m, to supply farm and associated enterprises with excess sold to the grid (K/2014/0526/F)	Wind turbine	Consented	2.8km to south-east	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
26	Erection of a domestic wind turbine with 13m blades on a 20m hub (K/2013/0062/F)	Residential	Consented	60m to west, south-west	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
28	Proposed erection of a 31m hub height Vestas V27 225 kW wind turbine to serve farm and export surplus to the grid (K/2012/0170/F)	Wind turbine	Consented	1.5km to west, north-west	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
Developments within <15km radius of application site					
1	Crockdun (K/2006/0074/F)	Wind farm	Consented	6.4km to south-east	Intervisibility of proposed wind farm (5 turbines of 100m to blade tip height) and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
2	Doraville	Wind farm	Application submitted /	11.7km to north-east	Intervisibility of proposed 33 turbine wind farm (turbines of 136m – 149m to blade tip

No.	Proposal description	Development type	Status ³³	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
	(LA10/2015/0292/F)		Pending consideration		height) and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
3	Cregganconroe (K/2006/0242/F)	Wind farm	Consented	11.8km to south-east	Intervisibility of proposed wind farm (5 turbines of 125m to blade tip height) and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
4	Beltonanean (5 turbines, 126.5m to blade tip height) (I/2014/0413/F)	Wind farm	Application submitted / Pending consideration	11.8km to east	Intervisibility of proposed wind farm and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
5	Beltonanean (1 turbine, 92.5m to blade tip height) (LA09/2017/0272/F)		Consented		
	Beltonanean (1 turbine, 92.5m to blade tip height) (I/2014/0399/F)		Appeal Pending consideration		
	Proposed 60m high temporary lattice anemometer mast, use of existing entrance and access track (I/2012/0414/F)		Consented		
7	Proposed shale mineral extraction associated storage phased restoration concrete batching plant and associated storage silos (I/2012/0446/F)	Mineral extraction	Consented	8.8km to south-east	Intervisibility of mineral extraction proposal and Curraghinalt Project possible. Cumulative landscape and visual effects likely. Considered in CLVIA
8	Extension of existing mineral extraction site (K/2015/0143/F)	Mineral extraction	Consented	11.2km to south	Intervisibility of mineral extraction proposal and Curraghinalt Project possible. Cumulative landscape and visual effects likely. Considered in CLVIA
9	Retrospective extraction of sand and gravel (1.2ha) and proposed	Mineral extraction	Consented	9.4km to south-east	Intervisibility of mineral extraction proposal and Curraghinalt Project possible.

No.	Proposal description	Development type	Status ³³	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
	restoration (4ha) by way of infilling with inert material, including inert waste to return the land to agricultural use. (K/2013/0507/F)				Cumulative landscape and visual effects likely. Considered in CLVIA
10	Proposed Barony Road Wind Energy Project comprising 4 turbines of 126.5m to blade tip height. (LA10/2015/0283/F)	Wind farm	Appeal pending consideration	5.3km to the south, south-west	Intervisibility of proposed Barony Road Wind Energy Project and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA

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7 Mitigation Measures

- 7.1 This section presents an overview of the landscape and visual mitigation measures for each phase of the Curraghinalt Project.
- 7.2 Landscape and habitat mitigation, restoration and enhancement, will be implemented in the early years of the project, and will be developed and agreed in consultation with DGL, landowners and statutory consultees before construction commences on site. Mitigation measures will be incorporated into a Landscape Restoration Plan and the successful implementation of these will be monitored and advised by an Environmental Clerk of Works.

Proposed Mitigation Measures

Mitigation by Design

- 7.3 The mitigation of potential landscape and visual effects is embedded within the iterative project design development process (see ES Chapter 4: Project Description and Chapter 5: Alternatives), whereby the location and design of project components was devised, as far as practical given the location of the mineral reserves, in order to reduce and/or avoid direct or indirect landscape effects and reduce and/or avoid visual effects upon identified receptors.
- 7.4 The location, design and integration of the project and specific components into the existing landscape and views was undertaken, where practical, to help reduce the extent and magnitude of potential landscape and visual effects that will result from the project. As such, the objective is to create final landforms with naturalistic and sympathetically designed landscape profiles as far as is practicable.
- 7.5 The DSF has been designed so that the final landform will tie in with surrounding natural southern slopes of the broad ridge and Owenreagh Valley in so far as possible. Design iterations of the DSF were undertaken to seek to integrate the facility into the surrounding topography, where it occupies a natural shallow valley head, on the south facing slopes of the Owenreagh Valley, helping to reduce the potential extents of visual influence. A number of sensitive locations, specifically the Sperrin Mountains and core area of the Sperrin AONB to the north, and the settlements of Greencastle and Gortin to the east and west respectively were considered. Minimising visibility where possible from the Crockanboy Road (B46) to the south between Greencastle and Gortin, whilst acknowledging that some visibility will be unavoidable was also a key consideration.
- 7.6 The phasing of the project is designed to allow progressive reclamation and rehabilitation of project components as construction and operation is undertaken and completed, so that bare unvegetated areas can be kept to a minimum, and so that stored topsoil and vegetation can be replaced on graded areas as operations are completed. In particular, the DSF will be progressively restored and revegetated throughout the operational phase to integrate this large scale landform feature into the surrounding landscape. Peat will be dealt with separately in line with the specific guidance and regulations required, and as detailed in the Peat Management Plan.
- 7.7 The location, layout and design of the project components, associated buildings, infrastructure and ancillary componentry, including their aggregation, shape, and the texturing and colouring of external surfaces (RAL 6002 leaf green) has been designed to help reduce the magnitude of the impacts that will result from the project.
- 7.8 Inspection and/or agreement with the determining authority will be utilised in order that tests and samples (i.e. use of specific materials, colours and finishes to buildings and componentry) can be used to demonstrate proposed mitigation measures before being rolled out across the project-affected area as a whole.

Construction Phase Mitigation

7.9 The following mitigation measures will be implemented throughout the construction phase to ensure landscape and visual effects are avoided or reduced wherever possible. The removal of onsite vegetation will be undertaken in accordance with the **Removal of Existing Vegetation Plan**:

- Construction activities will be conducted in accordance with the Construction Environmental Management Plan;
- Existing woodland and tree belts will be retained as far as practical;
- Post-delivery of equipment for enabling works, construction vehicles will access the site area from the south via Crockanboy Road (the B46). All heavy traffic will be required to use the defined site access roads;
- Construction vehicles will not track across undisturbed areas outside their defined working area and access corridor;
- Materials and machinery will be stored tidily during the works. Machinery will not be left in place for longer than required for construction purposes, in order to minimise visual effects on views and visual amenity;
- Any contractors compounds and storage areas will be located away from sensitive receptors as far as possible;
- Reclamation of exploration works (construction lay down areas, access roads) will be ongoing during the construction phase to restore and revegetate previously disturbed areas, which will not be affected by the operational phase of the project. This will include any redundant access roads, provided they are not within the planned mine facilities;
- Topsoil, and the seedbank within it, will be carefully stripped from all construction areas, including the base of the DSF and will be stored in areas where it will not be disturbed or tracked upon, in low uncompacted mounds. Stored topsoil will be used for the progressive restoration of disturbed areas. Soft materials will be used to grade slopes prior to promotion of natural recolonisation of vegetation;
- Peat will be carefully extracted and moved from construction areas and stored in accordance with the Peat Management Plan;
- Regular looking engineered profiles will be avoided where practical. Irregular concave and convex slopes mimicking existing contours, which match with the scale of the existing hill slopes, will be created as far as possible during construction of the DSF and other necessary ground works for process plant componentry of the project;
- Wherever possible, slopes will be designed and engineered so that long-term visible man-made slopes are not required or can be entirely covered with turves and revegetated;
- Localised grading of selected sections of track cutting slopes, embankments and sides will be undertaken. Scarred track sides, slopes and tie-ins will be rounded to concave or convex profiles, and where available, topsoil/turves will be placed upon them, to encourage regeneration of vegetation;
- Seeding will be undertaken using locally native species of plants, and to tie in with adjacent vegetation types, where considered appropriate and essential to prevent erosion;
- On completion of the construction phase, all equipment and temporary installations, buildings, etc. not required for future operational use will be dismantled and removed, including removal of construction waste and its appropriate disposal; filling and compacting of pits, hollows and excavation trenches with the appropriate stockpiled materials;
- Slope regrading activities will be undertaken to provide sustainable and erosion resistant landforms compatible with the post-closure land use and water management strategies; and
- Exposed soil and overburden slopes will be regraded so that they conform with adjacent landform, in order to achieve the mine closure and restoration design objectives.

Operational Phase Mitigation

- 7.10 The following mitigation measures will be implemented throughout the operational phase to ensure landscape and visual effects are avoided or reduced wherever possible:
- As each phase of operation is completed, the DSF will be progressively restored by shaping and grading to help make these slopes match in with surrounding natural contours; treating the edges of the slopes in particular, so that scarred and eroded tie-ins are avoided, and placing soil onto slopes and ledges to promote recolonisation with appropriate natural vegetation;
 - Vehicular access to the site will be minimised. The majority of workers will arrive on site from Crockanboy Road (B46) to the south of the site, and limited car parking will be available for employees within the extents of the site;
 - The mine and the surrounding area will be maintained in a clean and uncluttered state: The Construction Environmental Management Plan will include landscape and habitat management requirements;
 - Spoil mounds of topsoil and soft materials will be established on the periphery of the working areas of site components, located where feasible to the outer edge of access roads and components, and will be seeded and grassed to assist in reducing visual effects from receptors east, south and west of the site, including to reduce the perceptibility of artificial lighting sources such as lighting on buildings and to working areas, and vehicle movements along access roads. Haulage, stockpiling and monitoring of growth medium and subsoil layers will be undertaken, to serve as a visual screen during construction, and a seed bank and to use for revegetation at closure;
 - Berms and mounds will be incorporated alongside on site access and haul roads to reduce light spill from the headlights of vehicles moving across the site and specifically to avoid or reduce visual effects from the headlights of vehicles on nearby visual receptors;
 - Opportunities for further localised screening and tree planting during the years of operation are included in the **Landscape Plan**. Existing tree belts will be managed, reinforced, and gaps filled with newly planted trees wherever practical. New planting will be implemented around the periphery of the DSF and along the north side of the B46, within the land which is available to DGL; and
 - Progressive restoration and revegetation of the DSF will take place throughout the operational phase to integrate the new landform more sympathetically into the surrounding landscape, and will extend into the restoration and closure phase where more extensive revegetation of the DSF will be undertaken.

Mitigation of Night Time Lighting

- 7.11 The introduction of night time operation activities will potentially result in visual effects where views of the various working components may occur, arising from the lighting of project components and headlights of mobile plant machinery and vehicles on site. The following mitigation measures will be implemented throughout the construction and operational phases to ensure visual effects associated with lighting are reduced or avoided:
- Contractors will be requested to use lowest emission lighting that will still provide sufficient light for safety purposes. Low visibility spectrum lights and appliances (full cut-off fixtures that emit no light above the light's horizontal line) will be preferred on project components, with lighting mounted at the minimum necessary safe height and shrouded where appropriate;
 - Lighting will be carefully enclosed within buildings so as not to contribute to light pollution/ light spillage off site/glare to the sky. Shutters will be used during darkness. There will be minimal security lighting in external areas (sensors will be used to ensure it does not get left on);
 - Lighting of work sites will be restricted to agreed working hours and that which is necessary for security. Light sources for night-time construction and operation activities will be pointed

downward and away from sensitive receptors such as nearby communities (without forgoing safety purposes);

- Vehicle and mobile plant machinery operators and drivers will be instructed in the appropriate use of headlights (high and low beams) to reduce impacts on visual receptors within local communities close to the site;
- Work in areas in the direct view of sensitive receptors (settlements/residential properties) will be avoided at night and/or lighting will be directed away from these locations, where practical; and
- Opportunities for further localised screening and tree planting to reduce potential visual effects from lighting will be explored in the detailed construction plans and included in any landscape and visual mitigation plans developed.

Closure and Restoration Phase Mitigation

- 7.12 Once the operation and production phases of the project cease, the closure of all project components will begin with the removal of all temporary project components and will be followed by the restoration of the site. Measures to be implemented at closure are detailed on the **Closure Plan**. Restoration proposals are detailed on the **Landscape Restoration Plan**.

Progressive Restoration

- Progressive rehabilitation of affected areas of the site will be undertaken, where possible, throughout the mine life, including the DSF which will be progressively revegetated throughout the operational phase. Provision will be made for reinstatement of vegetation across disturbed areas during the entire length of the project;

Removal of buildings and structures

- Removal or redistribution of temporary buildings and structures will be undertaken once their purpose has been fulfilled; all defunct machinery, clutter, fencing and man-made objects will be removed from the site; redundant settlement/filtration ponds will be removed;

Reprofiling, grading and landscaping

- Re-profiling and regrading of the DSF, access roads and areas of hardstanding will be undertaken when no longer required as part of the operational phase; landscaping and revegetation of slopes will be undertaken to provide erosion resistant, sustainable landforms;
- Cutting and embankment slopes will be graded to tie in with existing natural slopes, and sharp edges will be avoided, except where minor rock or stone covered faces may be considered appropriate; the edges of the slopes will be treated, so that scarred and eroded tie-ins are graded out. Layers of subsoil then topsoil will be placed in the correct stratigraphic order back onto the surface to promote recolonisation with appropriate native vegetation;
- The profiled faces of the DSF, their top surface, as well as any remaining spoil heaps and horizontal breaks (vehicle access berms and more minor footways) at completion of the operational phase will be designed to tie into existing contours, so that slopes match in with surrounding natural contours - using available materials as fill to soften angles and create a rolling profile. Shaping and grading of the completed faces will be implemented prior to seeding or the placement of turves to promote natural recolonisation of vegetation;

Ripping and scarifying

- Surfaces with significant compaction or degradation will be scarified or contour ripped to promote revegetation, and any overburden that was excavated will be pushed, raked or pulled back over the area. Any redundant access tracks will be ripped and windrows back-graded. Stockpiled topsoil and vegetation will be re-spread over the sites and any sumps will be backfilled;

Revegetation

- Revegetation of disturbed areas will be compatible with the selected post-mining land use, prioritising native species and vegetation types that existed before the mining operation began, and tying in with the existing vegetation in the surrounding area;
- Revegetation will be encouraged so as to soften the appearance of the DSF and pond faces, and to help integrate both the natural and manmade land forms, and the existing and new areas of vegetation with the objective of integrating the DSF into the landscape whilst replicating the linear ladder field boundary pattern and character of the surrounding landscape across the lower slopes of the DSF. The type and form of vegetation will be developed in accordance with advice from the engineers, in order to maintain the permanent structural integrity of the DSF, with a suitable depth of planting media incorporated where necessary to accommodate shrubs;
- Opportunities for further localised screening and tree planting during restoration and closure will be included in the **Landscape Restoration Plan**;

Post restoration management and monitoring

- Restoration will be managed and monitored according to ongoing landscape and habitat management actions, so as to promote complete and successful regeneration of the site; and
- Ongoing specialist supervision of vegetation recovery will be required to ensure the efficiency and effectiveness of revegetation and enhancement planting.

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8 Assessment of Landscape Effects

Landscape Assessment

- 8.1 The assessment of landscape effects follows the methodology presented in **Chapter 4** and **Appendix 1**, and is based upon the Project Description contained in the ES³⁴. The LVIA reports on effects which will occur during the construction, operation, and closure and restoration phases (as defined in **Table 5.1**) separately, and the magnitude and significance of landscape effects assessed assumes implementation of all the mitigation measures outlined in **Chapter 7** of this report.
- 8.2 Judgements on the potential for cumulative landscape effects are made with reference to the developments considered within the CLVIA which are listed in **Table 6.6** and shown on **Figure 6.9**.

Landscape Effects on the Project Site

- 8.3 Potential effects on the landscape of the Project Site are considered in **Table 8.1** below.

Table 8.1 Landscape Effects on the Project Site

The Project Site	
<p>Sensitivity (Nature of receptor)</p>	<p>The project site is described in detail in the baseline chapter, however the key characteristics are noted below.</p> <p>The site is situated on the lower broadly south facing slopes of the ridge, where the landform slopes down towards the Owenreagh River in the south and rises to the north to a high point of 335m AOD at Crocknamoghil.</p> <p>The west to north-western part of the site comprises moorland and rough grazing, whilst the eastern part of the site is largely composed of more managed pastoral farmland at lower elevation, delineated by lines of coniferous trees. A distinctive field pattern of locally characteristic 'ladder fields', are bound by a combination of degraded hedgerow, wire and post fencing and stone walls. A number of existing residential properties and agricultural buildings lie within the proposed footprint of the site.</p> <p>The susceptibility of this medium scale upland landscape based on the occurrence of localised key characteristics is judged to be medium.</p> <p>It is recognised that there is some value attached to the landscape of the project site, taking account of its location at the southern periphery of the nationally designated Sperrin AONB. However, the site has little intervisibility with the core area of the dramatic range of the south Sperrin Mountains. The area which will be affected will be situated south of the ridge, extending between Crocknamoghil and Crockanboy Hill. The project components will be predominantly contained within the existing matrix of coniferous shelterbelts. Taking into consideration the key characteristics of the underlying landscape of the project site, proximity to settlement and the location of the site within the Sperrin AONB, the landscape value is judged to be medium.</p> <p>On balance, the sensitivity of the project site is judged to be medium.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>The localised landscape of the project site will experience direct landscape changes from the construction of the DSF, mineral process plant, administrative buildings, maintenance workshop, warehouse facilities, mine dry, parking, site roads, fencing, vehicle movements, and infrastructure elements.</p> <p>These components will require extensive earth works, resulting in the removal of existing vegetation, manipulation of existing landform, diversion of natural drainage and the loss of landscape features such as moorland, areas of rough grazing, rectilinear pastoral land and field boundaries, however through the design of the proposal, the loss of existing lines of coniferous trees has been minimised.</p>

³⁴ Environmental Statement for the Curraghinalt Project, Northern Ireland, 2017

The Project Site	
	<p>The large scale physical changes to the landscape of the project site will be experienced over a localised area south of the summits of Crocknamoghil to the north-west and Crockanboy Hill to the north-east of the site, extending southwards towards the lower slopes of Owenreagh River valley.</p> <p>The extent of the DSF will develop throughout the duration of the project in accordance with the phases set out in the Project Description, therefore it is anticipated that the extent of landscape effects will increase through the operational phase as the DSF increases in size.</p> <p>The changes resulting from many of the project components will be largely reversible, as the process plant infrastructure components will be removed at closure and restoration of the development site is undertaken. However, long-term impacts from the change in landform and vegetation cover across the DSF will lead to localised permanent and non-reversible changes to the key characteristics of the site.</p>
Significance of landscape effects during each Assessment Phase	
Construction Phase	<p>Construction of project components will result in a large/size scale physical change experienced at a localised level. The duration of construction effects will be short-term, and some disturbance necessary to facilitate construction will be reversible, however the main components constructed during this phase will remain into the operational phase.</p> <p>The magnitude of landscape change for the site during construction is judged to be high. Combined with the overall medium sensitivity of the site, the landscape effect during construction is judged to be major (significant).</p>
Operational Phase	<p>The introduction of project components and development of the DSF will result in direct, large scale landscape change experienced at a localised level. The duration of these landscape effects will be long-term, throughout the operational phase of the project.</p> <p>The majority of operational activities will be reversible, however, the eventual foot print and profile of the DSF will remain as a permanent feature within the project site, and will be subject to progressive reclamation and revegetation to integrate this large scale feature into the surrounding landscape during the long-term operational phase.</p> <p>The magnitude of landscape change during operation is judged to be high. Combined with the overall medium sensitivity of the site, the landscape effect during operation is judged to be major (significant).</p>
Closure and Restoration Phase	<p>This phase will see the reversal of many operational effects through the removal of the majority of the project components. However, the DSF and passive water treatment system using the existing water management ponds will remain, and lead to a permanent and non-reversible change to the site. During restoration the shaping and grading of the DSF will be designed to tie into existing contours and topography of the site prior to revegetation of this new landform.</p> <p>Following closure and restoration of the site in accordance with the proposed Landscape Restoration Plan, the magnitude of change is judged to be medium. Combined with the overall medium sensitivity of the site, the landscape effect following closure and restoration is judged to be moderate (significant).</p>
Potential Effects from Lighting	<p>Effects from the lighting of key project components along with visibility of vehicle movements will be evident in across some areas of the site during the construction and operational phase, introducing artificial lighting sources into a landscape otherwise free of artificial lighting. However, the site lies within close proximity to other artificial lighting sources associated with residential properties and farmsteads, and effects from the lighting of key componentry will be contained during the latter stages of the project by the screening created by the landform of the DSF. Following closure and restoration all artificial lighting sources will be removed.</p> <p>Overall the effects from lighting on the landscape of the site will be medium during the construction and operational phases, reducing to barely perceptible following closure and restoration. Combined with the medium sensitivity of the site, the landscape effect as consequence of lighting is judged to be moderate (significant) during construction and operation, reducing to negligible (not significant) following closure and restoration.</p>
Potential for Future Cumulative Effects	<p>A consented but as yet unbuilt domestic scale wind turbine is located in close proximity to the site (60m to the south-west) and is likely to be visible in views from the immediate surrounding area south and west of the DSF. The turbine is of modest scale, typical of the</p>

The Project Site	
	<p>type of development associated with modern agricultural farms and will be seen in the context of the DSF in the latter stages of the operational phase.</p> <p>A consented but as yet unbuilt telecommunications mast of 15m in height is located on the summit of Crockanboy Hill in close proximity to the site, potentially appearing as a project component and acting as a reference to the location of the site in views from the wider surrounding area.</p> <p>Despite the proximity of these nearby small scale developments, significant additional or total cumulative effects on the landscape of the project site are unlikely to occur.</p>

Landscape Effects on Local Landscape Character Areas

8.4 Potential effects on local landscape character areas are considered in **Table 8.2** and **Table 8.6** below. These are then summarised in terms of the effects upon the RLCAs of which they form a part, given in each instance several LLCAs combine to form a single larger RLCA. This approach enables the consideration of potential effects on key characteristics of LLCAs which may only occur at local scale, but allows for a wider more holistic consideration which each affected LLCA may make to the character of the wider RLCAs.

Table 8.2 Landscape Effects on the LLCA 24 South Sperrin

LLCA 24 South Sperrin	
<p>Sensitivity (Nature of receptor)</p>	<p>This LLCA includes the site, and extends across the centre of the Study Area, from east of the summit of Carnanelly to south of the Owenreagh valley.</p> <p>Key characteristics which, together with field work, have informed an understanding of the susceptibility of this landscape to the development proposed are described in the NILCA as:</p> <ul style="list-style-type: none"> • <i>“Broad rounded ridges with deep, branching gullies and fast-flowing upland streams;</i> • <i>Meandering rivers are a focus for views - the narrow floodplain is often subdivided by irregular mounds of glacial till;</i> • <i>Patches of peaty marsh in low-lying areas between ridges of moraine and valley sides;</i> • <i>Marginal farmland, with scrub, rushes and moorland vegetation on upper slopes of stream valleys;</i> • <i>Hedgerows and stone walls on lower slopes follow historic townland boundaries and emphasise the undulating landform; and</i> • <i>Narrow lanes along margins of river floodplains - stone bridges at crossing points are local landscape features”</i> <p>Overall the character of this LLCA is strongly influenced by the skyline of the Sperrin Mountains to the north. The character and pattern of the landscape changes gradually from the valley floor to the upper moorland slopes. It is also noted that the:</p> <p><i>“This landscape would be sensitive to the expansion of commercial forestry and to any large scale development, particularly relating to mineral extraction, which would be prominent in views from the surrounding ridges”.</i></p> <p>Susceptibility to mineral extraction development of the nature proposed is judged to be medium. Although the entirety of the LLCA is located within the Sperrin AONB the area which will be affected is located to the south of the more dramatic range of the south Sperrins Mountains, and will be located below the skyline of Crocknamoghil and Crockanboy Hill, contained within the existing matrix of coniferous shelterbelts. The potential for intervisibility with the core area of the Sperrin AONB and northern extents of this LLCA are limited. Overall the landscape value of this LLCA is judged to be high.</p> <p>Given the susceptibility and value attached to the LLCA, the overall sensitivity of this LLCA is judged to be medium.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>This LLCA will experience direct landscape changes from the construction project components. Most of the components will require extensive earth works, resulting in the removal of existing vegetation, manipulation of existing landform, diversion of natural drainage and the loss of landscape features such as moorland, areas of rough grazing, arable and pastoral land, field boundaries and lines of coniferous trees, however these will be limited to the proposed infrastructure site and will not extend elsewhere across the LLCA.</p>

LLCA 24 South Sperrin	
	<p>The direct landscape changes which will occur within this LLCA as a result of the project will be visible across the southern area of this LLCA. However, the project components will be located below the horizon formed by Crocknamoghil and Crockanboy Hill, and are unlikely to interrupt the key characteristic views from surrounding ridges.</p> <p>Visibility of the project components will be localised, concentrated within 5km of the project site, but largely contained to the south of the area, including the south facing slopes and summits of Crocknamoghil and Crockanboy Hill, and from the north facing slopes south of the Owenreagh River. More limited visibility will also be experienced from elevated areas of the LLCA to the north-east, including the southern slopes and summit of Oaghmonicroy Hill.</p> <p>Visibility of these large scale changes will be experienced over a small geographical area of the LLCA south of the ridge, and will not be evident from many of the surrounding ridges from adjacent LLCAs to the north, and towards the interior/core of the Sperrin AONB. Effects on the landscape will be localised when considering the full extent of the LLCA within the study area.</p> <p>Effects associated with the DSF will extend during the operational phase as this component increases in size, resulting in potential visibility from areas of the LLCA to the north-east, including the hills of Oaghmonicroy, Spaltindoagh and Keraghbrien. The changes resulting from some of the project components will be reversible following closure and restoration, however long-term, permanent impacts from the change in landform and vegetation cover across the DSF will lead to localised changes to key characteristics and the landscape pattern within the LLCA.</p>
Significance of landscape effects during each Assessment Phase	
Construction Phase	<p>Construction of project components will result in a large/size scale change experienced at a localised level, which will be evident in views across the Owenreagh River valley to the south of the site. Construction effects will be short-term some disturbance necessary to facilitate construction will be reversible, however the main components constructed during this phase will remain present throughout the operational phase.</p> <p>The magnitude of landscape change during construction for the LLCA will be medium for the LLCA locally, and barely perceptible for the LLCA as a whole. Taking account of the medium sensitivity, the landscape effect for this LLCA is judged to be moderate (significant) locally (within 1km of the project site), and negligible (not significant) for the LLCA as a whole.</p>
Operational Phase	<p>Direct effects will arise during the operational phase as the DSF increases in horizontal and vertical extent, leading to the creation of a new large scale land form within the site, and will be visible across the Owenreagh River Valley area of the LLCA to the south. In the latter stages of operation visibility of the DSF will extend to areas of the LLCA to the north-east, although this will be limited to marginal visibility of the DSF above the ridge from elevated south facing slopes and hill summits located 4-12km from the site.</p> <p>Landscape effects experienced during operation will be medium-term, and will be largely reversible apart from those associated with the DSF which will remain in the landscape as a permanent feature.</p> <p>The magnitude of change is judged to be medium during operation. Combined with the medium sensitivity of the LLCA, the landscape effect is judged to be moderate (significant) locally within 1km of the site, and negligible (not significant) for the LLCA as a whole.</p>
Closure and Restoration Phase	<p>This phase will see the removal of all project components except the DSF which will result in a large/size scale of effect experienced at a localised level. The final shaping and grading of the DSF land form will be designed to tie into existing contours and will be revegetated during closure and restoration phase.</p> <p>The magnitude of landscape change following closure and restoration will reduce to low locally and barely perceptible for the LLCA as a whole. When combined with the medium sensitivity of the LLCA, this will result in a minor (not significant) landscape effect locally and negligible (not significant) for the LLCA as a whole following removal of the majority of the project components and the reshaping and revegetating of the DSF which will reduce its perceptibility across a wider extent of the LLCA, and ensure that the sites retains the character of the transitional landscape between the open moorland of the ridge to the north and the improved pastoral farmland of the Owenreagh River Valley to the south.</p>
Potential Effects from Lighting	<p>During the hours of darkness, lighting will be apparent across the area of the LLCA occupied by the site (as described above), and from areas on the north facing slopes of the Owenreagh river valley direct south, and south-west of the site. Visibility will be restricted to within approximately 3km of the site. Visibility will occur during the construction and</p>

LLCA 24 South Sperrin	
	<p>operational phase due to the introduction of artificial lighting sources, however visibility of lighting from across the Owenreagh valley will be seen in the context of other existing artificial lighting associated with residential properties and farmsteads, and the local sports ground north of Greencastle.</p> <p>Overall the landscape effects arising from lighting will be localised, and will be moderate (significant) locally and negligible (not significant) for the LLCA as a whole during the construction and operational phases. Following closure and restoration the effects from lighting will reduce to negligible (not significant) both locally and for the LLCA as a whole.</p>
Potential for Future Cumulative Effects	<p>A number of consented and proposed small scale developments are located within 5km of the site and within this LLCA, including domestic scale wind turbines (up to 31m hub height) and overhead powerlines which lie further west and north of the site but out with the ZTV. The majority of these developments are located within marginal farmland close to existing residential or agricultural development and do not generally encroach on the more exposed higher elevations of the LLCA where intervisibility with the project components may occur.</p> <p>The proposed Doraville Wind Farm is located at the northern periphery of this LLCA, and given the large scale of this development and its potential to alter some of the key characteristics of this LLCA, significant landscape effects are likely to arise in relation to this proposal. However, due to the presence of intervening topography and coniferous forestry intervisibility between the Curraghinalt Project and this commercial scale wind farm is likely to be very limited.</p> <p>Despite the presence of these nearby small scale developments each will have a small visual influence across the wider LLCA and there are unlikely to be significant cumulative effects on the LLCA as a consequence. The <i>additional</i> cumulative effect on this LLCA associated with the Curraghinalt Project, in the context that all the consented and proposed developments are constructed are judged to be minor (not significant).</p>

Table 8.3 Landscape Effects on the LLCA 25 Beaghmore Moors & Marsh

LLCA 25 Beaghmore Moors & Marsh	
Sensitivity (Nature of receptor)	<p>This LLCA includes a small area at the eastern extent of the proposed infrastructure site, whilst the LLCA extends across the central and eastern extent of the study area, encompassing the Owenreagh Valley to the south of the site and extending to the Davagh Forest to the north-east.</p> <p>Key characteristics which informs this landscapes susceptibility are described in the NILCA as:</p> <ul style="list-style-type: none"> • <i>“Shallow low ridges of glacial moraine separated by extensive peaty marsh;</i> • <i>Numerous winding small rivers and tributary streams flow in open channels with scrubby margins;</i> • <i>Pasture predominates on higher land, with exposed moorland on some ridgetops and extensive conifer plantations on shallow slopes;</i> • <i>Most fields enclosed by wire fences or broken scrubby hedgerows;</i> • <i>Small conifer shelterbelts are prominent around most farmsteads; and</i> • <i>Few settlements but many farmsteads on higher land, connected by straight, embanked roads Bronze Age sites.”</i> <p>Key characteristics within the area including exposed moorland, conifer plantation and field enclosures are judged to be of high susceptibility.</p> <p>It is also noted in the NILCA that:</p> <p><i>“Much of the landscape is in poor condition, with broken stone walls and gappy, stunted hedgerows. The area is pitted with sand and gravel quarries. Spoil heaps, quarry scars and hollows often create small-scale, irregular and rather lumpy terrain. Derelict buildings and fly-tipping are commonplace. Scattered built development has a strong visual influence. The most significant pressure for change is from the large, modern sand and gravel quarries, most of which are close to the A505.</i></p> <p><i>“The plant, machinery and vast spoil heaps associated with these quarries have a wide visual influence in this relatively expansive, rolling landscape. Conifer plantations are a strong pressure for change and many are newly planted. They form a large-scale, irregular</i></p>

LLCA 25 Beaghmore Moors & Marsh	
	<p><i>patchwork which fits fairly comfortably with the extensive valley bogs and marshes and forms a backdrop to the scattering of farmsteads and shelterbelts".</i></p> <p>Most of the LLCA is located within the Sperrin AONB which is considered to be of high landscape value. However the area which will be affected is located to the south of the more dramatic range of the south Sperrins and will be largely located below the skyline of Crocknamoghil and Crockanboy Hill, amongst existing lines of coniferous trees. Taking account of the level of human intervention within the LLCA, the landscape value is judged to be low to medium.</p> <p>Based on the susceptibility and value attached to this LLCA, the overall sensitivity of this LLCA is judged to be medium.</p>
Magnitude of change <small>(Nature of effect)</small>	<p>The project components that will be located within this LLCA are largely limited to the clean water pond at the north-eastern extent of the proposed infrastructure site.</p> <p>Visibility within this LLCA is locally wide spread in the west to the north and south of the Owenreagh valley including the elevated positions of Slievemenagh and Cashel Rock.</p> <p>A small part of the project site will be located within the north-western periphery of this LLCA, which will experience some direct landscape changes during the construction of project components. Most of these components will require extensive earth works, resulting in the removal of existing vegetation, manipulation of existing landform and the diversion of natural drainage. This will result in the loss of some key characteristic landscape features including high pasture and linear conifer shelterbelt. However the small area affected by this minimal loss of key characteristics will not give rise to undue changes to the wider LLCA.</p> <p>Direct and indirect changes which will affect this LLCA as a result of the project will be mainly visible from the west of this LLCA. Project components are likely to be located below the horizon formed by Crocknamoghil and Crockanboy Hill.</p> <p>Visibility of these medium scale changes will be experienced over a small geographical area of the LLCA south of the ridge. Effects on the landscape will be localised when considering the full extent of the LLCA within the study area.</p> <p>Indirect effects associated with DSF will extend during the operational phase as this component increases in size, resulting in potential visibility from areas of the LLCA to the south-east, largely near Greencastle, between Slievemenagh and Creggan, and to the north and north-east of Crockmorris. Predicted visibility from the areas beyond Greencastle will be experienced at distances of over 3km. In reality views towards the DSF from these areas will often be foreshortened and screened by intervening features.</p> <p>The changes resulting from some of the project components will be reversible following closure and restoration. Indirect experience of the changes in landform resulting from the development of the DSF in the neighbouring South Sperrins (LLCA 24) will be long-term and permanent.</p>
Significance of landscape effects during each Assessment Phase	
Construction Phase	<p>Construction of project components will result in a medium/size scale landscape change experienced at a localised level, which will be evident in views looking north from elevated locations south of the Owenreagh River valley. Construction effects will be short-term, some disturbance necessary to facilitate construction will be reversible, however the main components constructed during this phase will remain present throughout the operational phase.</p> <p>The magnitude of landscape change during construction for the LLCA is judged to be medium locally, and low for the LLCA as a whole. Combined with the medium sensitivity of this LLCA the landscape effect is judged to be moderate (significant) local within approximately 1km of the project site, and negligible (not significant) for the LLCA as a whole.</p>
Operational Phase	<p>Direct landscape effects will arise during the operational phase with the development of part of the Fresh Water Pond and other project components within the LLCA. Indirect effects will arise as the DSF increases in horizontal and vertical extent, leading to the creation of a new large scale landform, and will be visible from elevated areas south of the Owenreagh River. In the latter stages of the operational phase predicted visibility of the DSF extends to areas of the LLCA to the south-east and some limited areas to the north-east at distances over 3km. It is considered likely that visibility of the DSF from these areas will be foreshortened and screened by intervening features.</p>

LLCA 25 Beaghmore Moors & Marsh	
	<p>Direct landscape effects experienced during operation will be medium-term, and will be largely reversible. Indirect effects associated with the DSF will remain in the landscape as a permanent feature.</p> <p>During operation the magnitude of landscape change is judged to be medium locally and barely perceptible for the LLCA as a whole. Taking account of the medium sensitivity of the LLCA, the landscape effect is judged to be moderate (significant) locally (within approximately 1km of the site), and negligible (not significant for the LLCA as a whole).</p>
Closure and Restoration Phase	<p>This phase will see the removal of all project components except the DSF which will remain within neighbouring LLCA 24 South Sperrin to the west and will result in a medium/size scale of effect experienced at a localised level. The final shaping and grading of the DSF land form will be designed to tie into existing contours and will be revegetated during closure and restoration phase.</p> <p>The magnitude of landscape change following closure and restoration will reduce to low, resulting in a minor (not significant) landscape effect locally and negligible (not significant) for the LLCA as a whole following removal of the majority of the project components and the reshaping and revegetating of the DSF which will reduce its perceptibility across a wider extent of the LLCA.</p>
Potential Effects from Lighting	<p>During the hours of darkness, lighting will be apparent across the area of the LLCA occupied by the site (as described above), and from areas near Pollanroe Bridge and from elevated areas south of the Owenreagh River valley. Visibility will be restricted to within approximately 3km of the site. Visibility will occur during the construction and operational phase due to the introduction of artificial lighting sources, however visibility of lighting from areas south of the Owenreagh River will be seen in the context of other existing artificial lighting associated with residential properties and farmsteads, and the local sports ground north of Greencastle.</p> <p>Overall the effects from lighting on this LLCA will be localised, resulting in a moderate (significant) effect very locally (within 1km of the site), and will be negligible (not significant) for the LLCA as a whole during the construction and operational phases, reducing to negligible (not significant) following closure and restoration.</p>
Potential for Future Cumulative Effects	<p>A number of consented and proposed small scale wind turbines and a telecommunications mast are located within 3km of the project site and within this LLCA, and a number of other small scale wind turbines (up to 54.5m hub height). The majority of these developments are located within marginal farmland close to existing residential or agricultural development and do not generally encroach on the more exposed higher elevations of the LLCA where intervisibility with the project components may occur. Each development, given the small scale and limited visual influence of the developments they will result in only local effects on this LLCA.</p> <p>In addition, a consented shale mineral extraction site is located approximately 8.5km south-east of the Curraghinalt Project and within this LLCA. This development is located close to other existing mineral extraction sites, which are common feature within this landscape. Intervisibility between the two sites will be limited at this distance, and each development will exert a localised effect on this LLCA.</p> <p>It is considered that there are unlikely to be significant cumulative effects on the LLCA as a consequence of each of the developments being constructed, however the additional of further mineral extraction development within this LLCA will result in an extension of this character defining land use. The <i>additional</i> effects associated with the introduction of the Curraghinalt Project in the context that all the consented and proposed developments are constructed are judged to be minor (not significant).</p>

Table 8.4 Landscape Effects on the LLCA 26 Bessy Bell & Gortin

LLCA 26 Bessy Bell & Gortin	
Sensitivity (Nature of receptor)	<p>This extensive character area is focussed on the outlying foothills of the Sperrins, defined by rounded hills to the west and rising to more prominent peaks to the east including Mullaghcarn.</p> <p>Key characteristics which, together with field work, have informed and understanding of the susceptibility of this landscape are described in the NILCA as:</p> <ul style="list-style-type: none"> • <i>“Scenic, accessible landscape on the western fringes of the Sperrins; steep mountain of Mullaghcarn to east and rounded moorland summit of Bessy Bell to west;”</i>

LLCA 26 Bessy Bell & Gortin	
	<ul style="list-style-type: none"> <i>River Strule flows within incised, wooded valley, with roads following river course on terraces alongside;</i> <i>Diverse landscape pattern, with a transition from steep, wooded river banks to farmland to open moor within relatively short distances;</i> <i>Hedgerows enclose all fields, becoming gappy, with wire fencing on higher land; stone walls in areas of higher land close to the Sperrins;</i> <i>Relatively dense tree cover, with numerous hedgerow trees and small copses; landscape becomes more open on elevated slopes; and</i> <i>Long scenic views from mountain slopes and along valley."</i> <p>Key characteristics relative to the proposed project components are the slopes and summit of Mullaghcarn and long scenic views from mountain slopes and along valleys.</p> <p>The key characteristics are judged to combine to result in a high susceptibility.</p> <p>The majority of the eastern extents of the LLCA are located within the Sperrin AONB, whilst the western extents out with the study area fall within the non-statutory Sperrin Foothills Area of Scenic Quality. As a result, the overall landscape value of the LLCA is judged to be high.</p> <p>The overall sensitivity of this LLCA is judged to be high.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>No project components are located within this LLCA located south-west of the project site, however visibility of project components will be possible from localised within 5km of the site, seen largely from elevated areas in the north-eastern extent of this LLCA. Beyond 5km, visibility is indicated from higher ground including the summits and slopes of Mullaghcarn and Crocknakeeferty, becoming increasingly intermittent to the east of Mulderg. However at such distances, the project is unlikely to be perceptible.</p> <p>Indirect effects will arise from the construction of project components. Visibility of these medium scale changes will be experienced over a small geographical area of the LLCA south-west of the ridge. Effects on the landscape will be localised when considering the full extent of the LLCA within the study area.</p> <p>Effects associated with the DSF will extend during the operational phase as this component increases in size, resulting in potential visibility from some additional limited areas of the LLCA to the south of Gortin. However predicted visibility from these areas are from distances over 5km and views towards the DSF will likely be foreshortened and screened by intervening features.</p> <p>Visibility is indicated from key characteristic mountain Mullaghcarn and from the slopes and summits of Crocknakeeferty and Mulderg further south. However it is considered unlikely that this accessible landscape and the key characteristic scenic views experienced from mountain slopes will be unduly affected as project components will be largely contained below the skyline formed by Crocknamoghil and Crockanboy Hill, and where visible will be from a distance over 5km and barely perceptible.</p>
Significance of landscape effects during each Assessment Phase	
<p>Construction Phase</p>	<p>Indirect construction of project components will result in in a medium/scale landscape change experienced a localised area and restricted to views from elevated positions on the south-west of the Owenreagh River valley. Construction effects will be short-term and reversible, however the main components constructed during this phase will remain present throughout the operational phase.</p> <p>The magnitude of landscape change during construction for the LLCA is judged to be low locally within approximately 3km of the site, and barely perceptible for the LLCA as whole. Taking account of the high sensitivity of the LLCA, a minor (not significant) landscape effect will arise locally within approximately 2km of the site, reducing to negligible (not significant) for the LLCA as a whole.</p>
<p>Operational Phase</p>	<p>During the operational phase the DSF will increase in horizontal and vertical extent, leading to the creation of a new large scale landform in views from this LLCA towards the northern slopes of the Owenreagh River Valley. These views will be experienced from an area of high ground east of Glensawisk Burn, the slopes and summits of Mullaghcarn, Crocknakeeferty and Mulderg. As noted above visibility indicated from slopes and summits are from distances over 5km from where the site will form a small feature in the landscape and will not interrupt the skyline in views from this LLCA. In the latter stages of operation visibility of the DSF will extend to some limited areas south of Gortin at distances over 5km.</p>

LLCA 26 Bessy Bell & Gortin	
	<p>Landscape effects experienced during operation will be medium-term, and will be largely reversible, apart from those associated with the DSF, which although this component will be progressively restored throughout the operational phase reducing its perceptibility in views from this LLCA, it will remain in the landscape as a permanent feature.</p> <p>The magnitude of landscape change during the operational phase for the LLCA is judged to be low locally within approximately 3km of the site, and barely perceptible for the LLCA as whole. Taking account of the high sensitivity of the LLCA, a minor (not significant) landscape effect will arise locally within 2km of the site, reducing to negligible (not significant) for the LLCA as a whole.</p>
Closure and Restoration Phase	<p>The removal of most project components from the site and the final shaping, grading and revegetating of the DSF landform, designed to tie this feature into the surrounding topography and landcover will reduce the perceptibility of the project site following closure and restoration.</p> <p>The magnitude of landscape change following closure and restoration will reduce to be low locally and barely perceptible for the LLCA as whole. Taking account of the high sensitivity of the LLCA, a minor (not significant) landscape effect will arise locally, which will be negligible (not significant) for the LLCA as a whole.</p>
Potential Effects from Lighting	<p>During the hours of darkness lightning will be apparent from the localised north-eastern fringe of the LLCA within approximately 3km of the site. Visibility will occur during the construction and operational phases due to the introduction of artificial lighting sources, however visibility of lighting from across the Owenreagh River valley will be seen in the context of other existing artificial lighting associated with residential properties and farmsteads, and the local sports ground north of Greencastle.</p> <p>Overall the effects from lighting on this LLCA will be localised, and will be minor (not significant) for the LLCA as a whole during the construction and operational phases, reducing to negligible (not significant) following closure and restoration.</p>
Potential for Future Cumulative Effects	<p>No other additional developments considered in the cumulative assessment are located within this LLCA, therefore no <i>additional</i> cumulative effects on this LLCA will occur.</p>

Table 8.5 Landscape Effects on the LLCA 29 Sperrin Mountains

LLCA 29 Sperrin Mountains	
Sensitivity (Nature of receptor)	<p>Extending west to east across the most northerly extents of the study area this LLCA forms the core area of the Sperrin AONB. This mountain landscape is characterised by remote wilderness and high peaks, generally devoid of manmade features or development.</p> <p>Key characteristics which, together with field work, have informed an understanding of the susceptibility of this landscape are described in the NILCA as:</p> <ul style="list-style-type: none"> • <i>“broad, rounded ridges with rocky outcrops leading to steep, pointed summits;</i> • <i>deep, branching gullies and open, fast-flowing moorland streams;</i> • <i>carpet of open moorland pasture and heather with extensive bog and areas of damp grassland on flatter land and lower slopes;</i> • <i>earthbanks and stone walls follow historic townland boundaries on lower slopes; some pastures are derelict and infested by scrub and rushes;</i> • <i>winding moorland roads and straight tracks leading across contours; and</i> • <i>broadleaf woodland concentrated within lower valleys; some conifer woodland on mountain slopes. Isolated barns on upper slopes; clachans and farmsteads in valleys. ”</i> <p>The key characteristics are judged to combine to result in a high susceptibility.</p> <p>The majority of the LLCA is located within the Sperrin AONB which is considered to be of high landscape value.</p> <p>The overall sensitivity of this LLCA to the type of development proposed is judged to be high.</p>
Magnitude of change	<p>Intervisibility between this LLCA and the proposed infrastructure site is limited by the intervening topography of Crocknamoghil and Crockanboy Hill which form the ridge directly</p>

LLCA 29 Sperrin Mountains	
(Nature of effect)	<p>north of the main project components. As a result visibility from across this LLCA will be very limited, restricted to distant views of only the DSF once cell one of this component reaches its maximum vertical extent (approximately year 5). This will be limited to elevated areas at distances of over 10km, including the southern slopes and summits of Mullaghclogha, Mullaghdoe, Dart Mountain and Sawel Mountain. At such distances it is extremely unlikely that the DSF will be discernible.</p> <p>As a result of this very limited visibility it is not considered likely that the key characteristics of this LLCA will be adversely affected by the proposal.</p>
Significance of landscape effects during each Assessment Phase	
Construction Phase	<p>Indirect effects arising from the construction phase are considered unlikely to be experienced from this LLCA as the majority of construction activities will be screened behind the elevated landform of Crocknamoghil and Crockanboy Hill north of the project site.</p> <p>The magnitude of landscape change during construction will be barely perceptible, which when combined with the high sensitivity will result in negligible (not significant) landscape effects on this LLCA.</p>
Operational Phase	<p>Indirect effects will arise during the operational phase as the DSF increases in horizontal and vertical extent, Visibility of the DSF from within the LLCA will be limited to the above noted areas in views looking south from distances over 10km. Where discernible the DSF will appear as a small scale change in landform above the ridge within the wider landscape, remaining as a permanent feature.</p> <p>The magnitude of change is judged to be barely perceptible, resulting in a negligible (not significant) landscape effect.</p>
Closure and Restoration Phase	<p>The final shaping, grading and revegetation of the DSF will be designed to tie into the existing landform and landcover of project site and surrounding landscape, which will further reduce the perceptibility of this project component in long distance views from this LLCA.</p> <p>The magnitude of landscape change following closure and restoration will be barely perceptible resulting in negligible (not significant) landscape effects.</p>
Potential Effects from Lighting	<p>Some distant illumination from artificial lighting of project components and vehicles is likely to be perceptible during the hours of darkness throughout the construction and operational phases from elevated areas and hill summits highlighted above. However visibility of lighting will largely be seen in the context of other existing artificial lighting associated with residential properties and farmsteads located north of the Curraghinalt Project site and closer to the Sperrin Mountains. Furthermore higher sensitivity recreational receptors are unlikely to be present within the above noted areas after daylight hours.</p> <p>The effects from lighting on this LLCA will be negligible (not significant) throughout the project</p>
Potential for Future Cumulative Effects	<p>There are no additional developments considered in the cumulative assessment located within this LLCA, however the proposed commercial scale Doraville Wind Farm is located sloe to this LLCA and is likely to exert an extensive visual influence across this LLCA.</p> <p>Due to the distance between and location of the Curraghinalt Project on the south side of the ridge, visibility of the site from the Sperrins (29) LLCA will be very limited, as outlined above. In contrast the proposed Doraville Wind Farm is likely to result in significant effects on the key characteristics of the LLCA, appearing in views from across an extensive area of this LLCA due to its location on elevated and exposed land within the adjacent South Sperrin (24) LLCA.</p> <p>In the context that the Curraghinalt Project introduced to a situation where all consented and proposed developments are constructed, the <i>additional</i> cumulative effects on this LLCA are judged to be negligible (not significant).</p>

Table 8.6 Landscape Effects on the LLCA 43 Carrickmore Hills

LLCA 43 Carrickmore Hills	
Sensitivity	The Carrickmore Hills LLCA covers the south-eastern extents of the study area, extending south and south-east from the Sperrins and consisting of upland areas of moorland, fringe

LLCA 43 Carrickmore Hills	
(Nature of receptor)	<p>farmland on lower slopes, with settlement and development generally concentrated along the network of roads which dissect this landscape.</p> <p>This LLCA displays relatively widespread human influences, including agriculture, settlement, linear features (roads and tracks) and active and inactive mining activities.</p> <p>Key characteristics which informs this landscapes susceptibility are described in the NILCA as:</p> <ul style="list-style-type: none"> • <i>“Steep, rocky summits with a crinkled ridge-top profile, separated by extensive moss and small, rounded loughs. Irregular, deeply undulating landform in areas of glacial moraine;</i> • <i>On higher land, small, rough pastures are enclosed by gorse hedgerows and wire fences or by granite boulders and earthbanks form the margins to some fields;</i> • <i>Rolling lowland landscape of poor quality farmland with patches of marsh and rush-infested pastures in low-lying areas;</i> • <i>Narrow, twisting roads link scattered farms on lower slopes; small settlement clusters are concentrated at junctions;</i> • <i>Scrubby woodland on margins of marsh; tree cover becomes sparse and the landscape more exposed on elevated land; and</i> • <i>Extensive sand and gravel quarrying.”</i> <p>It is also noted that:</p> <p><i>“...due to mineral extraction, built development or the introduction of forestry would have a detrimental impact. The most obvious current pressure is from sand gravel quarries; the area is pitted with quarry scars and soil heaps...”</i></p> <p>Taking account of the above, the susceptibility of this LLCA is judged to be medium. The north-western extents of the LLCA is at the southern periphery of the Sperrin AONB, and offers long distant views towards the more dramatic uplands of the Sperrin Mountains to the north, north-east. The landscape value of the whole LLCA is judged to be medium.</p> <p>Overall the sensitivity of this LLCA to the type of development proposed is therefore judged to be medium.</p>
Magnitude of change (Nature of effect)	<p>Visibility of the project components will be possible from the north and north-western extents of this LLCA, generally concentrated across elevated areas along the corridor of the A505, including the Murrins to the south, and within approximately 7km. Visibility is indicated beyond this to the south-east, however the presence of extensive coniferous woodland at Creggan will reduce the likelihood of views from these areas of the LLCA, with some very distant views possible from the elevated summits of Cregganconroe and Evishanoran Mountain. The project will appear in the context of existing sand and gravel mineral extraction sites which are located both within this LLCA and within the Owenreagh River valley to the north.</p> <p>In views from within 5km the project site will potentially be discernible during construction and operation, however components will be contained below the horizon formed by Crocknamoghil and Crockanboy Hill, with the majority of the process plant components contained within the existing matrix of coniferous shelterbelts. As a result distant views towards the Sperrin Mountains will be uninterrupted.</p> <p>Perceptibility of the DSF will potentially increase during the operational phase as this component increases in horizontal and vertical extent, however the progressive restoration of this component will reduce how discernible this component appears within the surrounding landscape. It is considered unlikely that the key characteristics of the LLCA will be affected.</p>
Significance of landscape effects during each Assessment Phase	
Construction Phase	<p>Indirect construction effects will result in a small scale change in views from this LLCA experienced across a relatively localised extent of the LLCA. Visibility of the project site is generally limited to areas of the LLCA at lower elevations including the corridor of the A505 road and areas of higher ground west of Cashel Rock. Construction effects will be short-term and largely reversible, however the main components constructed during this phase will remain present throughout the operational phase of the project. More distant views of construction activities will be possible from elevated areas to the south-east including Cregganconroe and Evishanoran Mountain.</p>

LLCA 43 Carrickmore Hills	
	The magnitude of landscape change during construction is judged to be low, resulting in a negligible (not significant) landscape effect for the LLCA as a whole.
Operational Phase	<p>Indirect effects arising during the operational phase will mainly arise in relation to the DSF as it increases in horizontal and vertical extent, leading to the creation of a new large scale landform within the neighbouring LLCA. This will become the most perceptible component of the development, but will be visible from only a small localised area of this LLCA, including elevated land west of Cashel Rock and from the corridor of the A505 at the northern periphery of the LLCA. As noted above predicted visibility of the DSF is also indicated from areas in the centre and east of the LLCA towards the latter stages of development. However visibility from these areas is from distances of approximately 10km, from which a changes will be barely perceptible.</p> <p>Landscape effects experienced during operation will be medium-term, and will be largely reversible apart from those associated with the DSF which will remain in the landscape as a permanent feature.</p> <p>The magnitude of change during the operational phase will be barely perceptible for the LLCA as whole, resulting in a negligible (not significant) landscape effect.</p>
Closure and Restoration Phase	<p>The removal of project components, and the final shaping, grading and restoration of the DSF landform, designed to tie into existing contours and surrounding landscape, will reduce the perceptibility of the project site from the areas noted above.</p> <p>The magnitude of landscape change following closure and restoration will reduce further but will remain barely perceptible for the LLCA as whole, resulting in a negligible (not significant) landscape effect.</p>
Potential Effects from Lighting	<p>During the hours of darkness lightning will be apparent from the localised north-western fringe of the LLCA within approximately 4km of the site. Visibility will occur during the construction and operational phase due to the introduction of artificial lighting sources, however visibility of lighting will be seen in the context of other existing artificial lighting associated with the settlement of Greencastle, and other residential properties and farmsteads within the Owenreagh River Valley.</p> <p>Overall the effects from lighting on this LLCA will be localised, and will be negligible (not significant) for the LLCA as a whole during the construction and operational phases, and reducing further following closure and restoration.</p>
Potential for Future Cumulative Effects	<p>As referenced within the key characteristics, evidence of mineral extraction is a common feature within this LLCA. A number of other consented and proposed mineral extraction sites are located within this LLCA, as well as in close proximity within the adjacent Beaghmore Moors and Marsh (25) LLCA, which have the potential to influence landscape change within this LLCA. Although mineral extraction is a key and evident land use across this LLCA the effects associated with each individual development are often localised.</p> <p>A number of commercial scale wind farms have been consented within or in close proximity to this LLCA, and if all are constructed will likely result in wind energy developments, and views thereof, becoming a key feature of this LLCA.</p> <p>Given the distance between the Curraghinalt Project and its limited effect on this LLCA (minor, not significant), it is judged that <i>additional</i> significant effects on this LLCA will be negligible (not significant) when considered in the context of all consented and proposed developments being constructed.</p> <p>It is noted however that there is potential for significant <i>total or combined</i> cumulative effects on this LLCA as a result of the multiple existing, consented and proposed mineral extraction sites and commercial scale wind farms.</p>

Implications for Regional Landscape Character Areas (RCLAs)

- 8.5 The potential landscape effects for LLCAs identified above may also have a consequential effect on key characteristics of RCLAs which define the study area. A further independent assessment of potential effects on these RCLAs was not undertaken, however, the implications for these larger scale units of landscape characterisation, with specific reference to the several LLCAs which make up the potentially affected regional units. The detailed analysis in relation to LLCAs above informs an understanding of the potential effects upon the units of this more recent classification.

8.6 The Curraghinalt Project sits at the transition between Sperrins (7) RLCA and the Carrickmore Plateau and Pomeroy Hills (12) RLCA, therefore implications for these two regional scale landscape units are considered in **Table 8.7** and **Table 8.8** below.

Table 8.7 Implications for RLCA 7 Sperrins

RLCA 7 Sperrins	
LLCAs which make up this RLCA	<p>LLCA 24 South Sperrin</p> <p>LLCA 25 Beaghmore Moors & Marsh</p> <p>LLCA 26 Bessy Bell & Gortin</p> <p>LLCA 29 Sperrin Mountains</p>
Sensitivity (Nature of receptor)	<p>Key characteristics of the area which, together with field work, has informed an understanding of the susceptibility of this landscape to change are described in the NIRLCA as:</p> <ul style="list-style-type: none"> • <i>“...moorland with coniferous forest plantations contrasting harshly with the windswept broad summits which give an open character to these areas. Hedgerows and stone walls become more prevalent moving away from the higher grounds giving a more interconnected feeling at these locations; and</i> • <i>The higher peaks in the northern part of the RLCA are distinctly more mountainous, comprising a ridge with knife-like projections and rocky summits beyond. These mountains provide the backdrop for many of the views from the lower hills in the area.”</i> <p>Some of the localised characteristics of the RLCA area may be affected by the Curraghinalt Project including the landcover comprising moorland and rough grazing in the west to north-west, and the ‘ladder fields’ bound by a combination of degraded hedgerow, post and wire fencing and stone walls.</p> <p>Elsewhere the RLCA shows evidence of man-made features and landscape change through agriculture, settlement and mineral extraction. The site also lies within the Sperrin AONB, however it is located to the south of the more dramatic south Sperrin Mountains range. The area which will be affected is located below the skyline of Crocknamoghil and Crockanboy Hill, within an area of lines of coniferous trees.</p> <p>A large proportion of this RLCA makes up the area designated as the Sperrin AONB, including the Sperrin Mountains which influence many of the key characteristics of the RLCA.</p>
Conclusions with respect to effects on component LLCAs	<p>The Curraghinalt Project is situated within this RLCA, with the majority of the project site located at the very southern periphery of this extensive RLCA which is centred on the Sperrin Mountains.</p> <p>Taking account of the potential effects on the constituent LLCAs (as documented in Table 8.2 to Table 8.5), landscape effects on this RLCA will be very localised, predominantly concentrated on the South Sperrin (24) LLCA which will experience physical changes as a consequence of the Curraghinalt Project. Visibility of the project across the extents of the RLCA will be extremely limited as indicated by Figure 6.4a. The key characteristics of the RLCA, most of which are concerned with the wild, tranquil and often inaccessible mountainous core area of the Sperrin Mountains to the north, will be largely unaffected by the presence of the Curraghinalt Project. The loss of characteristic landscape features found at lower elevations across the RLCA (e.g. ladder field boundaries and coniferous shelterbelts) will be experienced at a very local level and these features will remain abundant across the RLCA.</p> <p>In conclusion, despite significant landscape change experienced across localised areas of South Sperrin (24), Beaghmore Moors & Marsh (25) and Bessy Bell & Gortin (26) LLCAs, effects on the landscape of this RLCA will be very localised, affecting only a very small proportion of the RLCA occupied by the project site and areas within 4km where the project components may be perceptible. The effects will result in no substantial change to the key characteristics defined within the NIRLCA.</p>

Table 8.8 Implications for RLCA 12 Carrickmore Plateau and Pomeroy Hills

RLCA 12 Carrickmore Plateau and Pomeroy Hills	
LLCAs which make up this RLCA	<p>LLCA 25 Beaghmore Moors & Marsh</p> <p>LLCA 26 Bessy Bell & Gortin</p> <p>LLCA 43 Carrickmore Hills</p>
Sensitivity (Nature of receptor)	<p>Key characteristics of the area, which together with field work have informed an understanding of the susceptibility of this landscape, are described in the NIRLCA as:</p> <ul style="list-style-type: none"> • <i>"An area of low hills, mainly below 350m, forming a broad plateau which separates the Lough Neagh and Omagh basins, narrowing to the ridge of the Pomeroy Hills to the south; and</i> • <i>Broad expanses of peat bog on the open upland plateau, giving way to enclosed upland pasture and rough grazing around Pomeroy and Carrickmore;</i> • <i>Glacial deposits of sand and gravel in the form of eskers and moraine, which are being extracted at several large quarries; there are stone quarries further south; and</i> • <i>Views north to the Sperrins which frame the plateau around Beaghmore, and broad views east and west over lower-lying landscapes."</i> <p>The Carrickmore Plateau and elevated areas of Cregganconroe offer broad views west and north-west over lower-lying landscapes, including the Owenreagh and Owenkillew River valleys, to the Sperrin Mountains beyond.</p> <p>In relation to mineral extraction, the NIRLCA states: <i>"Extensive mineral workings are already a feature of this area, and there is likely to be more pressure to extract glacial sands and gravels, as well as the hard rock resource further south. Further quarries could begin to erode the qualities of tranquillity and remoteness within this landscape, as well as the time-depth which is a key characteristic".</i></p> <p>Existing mining activities within the RLCA, including several large quarries for extracting glacial deposits of sand, gravel and stone, are located south-east of the proposed Curraghinalt Project and have been the source of large scale landscape change evident across this RLCA. Other man made features include agriculture, and settlement.</p> <p>The northern proportion of this RLCA forms part of the designated Sperrin AONB, however it is located to the south of the more dramatic range of the south Sperrin Mountain range with elevated areas of the RLCA offering open views towards the mountainous landscapes to the north.</p>
Conclusions with respect to effects on component LLCAs	<p>Part of the Curraghinalt Project (main site access and eastern periphery of the proposed infrastructure site) is situated within this RLCA, with the majority of the project site located within the adjacent landscape of the Sperrins RLCA.</p> <p>Taking account of the potential effects on the constituent LLCAs (as documented in Table 8.3, Table 8.4 and Table 8.6), landscape effects on this RLCA will be very localised, predominantly concentrated on the Beaghmore Moors & Marsh (25) LLCA which will experience some very localised physical changes as a consequence of the Curraghinalt Project. Visibility of the project across the extents of the RLCA will be extremely limited as indicated by Figure 6.4a, limited to areas within 10km to the south, south-east, whilst more distant views of the project from across the RLCA will be less discernible due to intervening forestry cover.</p> <p>Although views of the project will be possible from areas of the RLCA directly south, south-east, project components will be predominantly located below the horizon formed by Crocknamoghil and Crockanboy Hill, largely contained amongst existing coniferous tree lines and will not affect views towards the distant Sperrin Mountains to the north, which form a key characteristic of the RLCA.</p> <p>In conclusion, based on the limited extent of physical changes to landscape features within this RLCA, and despite significant landscape change which will be experienced across localised areas of the Beaghmore Moors & Marsh (25) and Bessy Bell & Gortin (26) LLCAs, effects on the landscape of this RLCA will be very localised, affecting only a very small proportion of the RLCA occupied by the project site and areas within 4km where the project components may be perceptible. The effects will result in no substantial change to the key characteristics defined within the NIRLCA. The project will appear in the context of other mineral extraction developments which form a key landscape characteristic of the area of the RLCA from which visibility of the Curraghinalt Project will be experienced.</p>

RLCA 12 Carrickmore Plateau and Pomeroy Hills

It is acknowledged that the restoration of other existing or past mineral extraction sites has been somewhat limited, however the proposed progressive reclamation of the DSF and long-term restoration of the Curraghinalt Project site will reverse many of the adverse landscape changes associated with the development, notwithstanding that some long-term permanent landscape changes as a result of this mineral development will remain.

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9 Assessment of Visual Effects

Visual Assessment

- 9.1 The assessment of visual effects follows the methodology presented in **Chapter 4**, and is based upon the Project Description contained in the ES. The LVIA reports on effects which will occur during the construction, operation, and closure and restoration phases (as defined in **Table 5.1**) separately, and the magnitude and significance of visual effects assessed assumes implementation of all the mitigation measures outlined in **Chapter 7** of this report.
- 9.2 This section describes the residual effects resulting from the Curraghinalt Project on static locations (viewpoints), settlements, groups of residential properties and when travelling through the area along routes (sequential effects), which have been identified in **Chapter 6** as requiring detailed consideration.
- 9.3 Judgements on the potential for cumulative visual effects are made with reference to the developments considered within the CLVIA which are listed in **Table 6.6** and shown on **Figure 6.9**.

Effects on views from Representative Viewpoints

- 9.4 Visual effects from representative viewpoints considered within the LVIA are outlined in **Table 9.1** to **Table 9.4** below.

Table 9.1 Viewpoint 1 – Farmsteads off Crockanboy Road

Viewpoint 1 - Farmsteads off Crockanboy Road			
Grid Ref	258031, 384011	Figure Number	Figure 9.1
LLCA	LLCA 24 South Sperrin	Landscape Designations	Sperrin AONB
Direction of View	East, north-east	Distance from nearest Project Components	0.2km
Description of existing view and potential receptors	<p>This viewpoint is located on the single track section of the minor road leading north from Crockanboy Road (B46) and north of Pollanroe Bridge, to the south-west of the project infrastructure area. The viewpoint represents views experienced by road users, walkers and cyclists along this road, and similar views experienced from the curtilages of nearby residential properties (farmsteads and individual houses).</p> <p>From this location, there are close proximity views available looking north-east towards the project infrastructure area. Landform rises gradually to the north-east with the immediate foreground of the view occupied by sparse hedgerows, rough grazing and a wood pole distribution line running north-eastwards across the view. The horizon is formed by the upper pasture and lower moorland slopes of Crocknamoghil, with individual broadleaf trees, shrubs and blocks of conifer woodland breaking the skyline to the east.</p> <p>The viewpoint affords open panoramic views across and along the Owenreagh Valley to the south and south-west respectively, including distant views to the most southerly summit of the Sperrins, Mullaghcarn, approximately 10km to the south-west.</p>		
Sensitivity (Nature of receptor)	<p>Users of this minor road are judged to be of medium susceptibility as they are transient receptors, many of which may be recreating (cycling or walking). However, a small number of residential properties are also represented by this viewpoint, and residential receptors are judged to be of high susceptibility to changes in their views and visual amenity.</p> <p>The view does not represent a recognised stopping place or documented viewpoint and does not form part of a national tourist route, despite its location within the Sperrin AONB.</p>		

Viewpoint 1 - Farmsteads off Crockanboy Road	
	<p>However, appreciation of the surrounding view is material to the quality of life from the residential properties it represents, therefore the value of the view is judged to be high.</p> <p>Overall the sensitivity is judged to be high.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>During the construction phase the main source of effect from this viewpoint will be construction activities seen in close proximity to facilitate the introduction of the project components including the DSF, portal and berm, the WTP and ponds, the main access road, mineral process plant, and other ancillary components.</p> <p>During the operational phase the main source of effect from this viewpoint will be the DSF, which as it is developed will form an increasingly large feature in the view, becoming more perceptible as it increases in size from the deposition of waste rock. The DSF will largely obscure the view of other project components located to the north during the latter part of the operational phase.</p> <p>Visual effects will be relatively localised in extent, with similar views experienced from along this single track section of Crockanboy Road to the north and south, and from the curtilages of a small number of nearby residential properties to the south of the viewpoint. The principal views of nearby residential properties will not be affected and views from curtilages towards the site will be limited by the presence of agricultural buildings and dense vegetation and tree cover.</p> <p>The change in landform from the creation of the DSF will be permanent, with progressive restoration evident as the DSF increases in horizontal and vertical extent. Following closure and restoration the DSF will be regraded to tie into existing contours and surrounding landform, and revegetated to tie in with the surrounding landcover. This permanent landform will be distinguishable on the skyline in these close proximity views.</p>
Significance of visual effects during each Assessment Phase	
<p>Construction Phase</p>	<p>During the construction phase disturbance associated with preparatory groundworks and construction of the project components will be evident from this viewpoint, resulting in a large/size scale change in the view from this viewpoint, experienced locally. Although many of the construction effects will be short-term, many of the changes to the view will remain as the project components become operational. The majority of construction activities will be reversible, and some areas of disturbance only necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be high, and taking account of the duration of the effects and high sensitivity will result in a major (significant) visual effect.</p>
<p>Operational Phase</p>	<p>During the operational phase large scale changes in the view will occur, mainly associated the DSF as it increases in size and the berm between the portal and the processing site. Overall, the project components will occupy an angle of view of approximately 90 degrees in views north, north-east from this viewpoint. Viewed at close proximity, the project components will form the main focus of the view and the DSF extend above the skyline from the early years of the operational phase onwards. With the exception of the WTP and ponds which will remain in the foreground of the view, other project components will be obscured during the operational phase (approximately year 5 onwards) as the DSF increases in vertical height.</p> <p>Operational effects will arise through the introduction of all project components, however the development of the DSF will result in a large/size scale of effect experienced from the locality of the viewpoint. The effects will occur long-term, gradually increasing as the DSF increases in size, and despite the progressive restoration and revegetation of this feature it will remain as a perceptible feature in the view.</p> <p>The magnitude of visual change during the operational phase will be high, and taking account of the high sensitivity will result in a major (significant) visual effect.</p>
<p>Closure and Restoration Phase</p>	<p>This phase will see the removal of the majority of the project components which are otherwise screened from this location by the DSF. The DSF, passive water management ponds will remain visible from this viewpoint, however, the shaping, grading and revegetation of the DSF is designed to tie this component into the surrounding topography and landcover, however, the DSF will remain as a large scale perceptible change in the existing landform in close proximity views from this location.</p> <p>The magnitude of visual change following closure and restoration will be high, and taking account of the high sensitivity will result in a major (significant) visual effect.</p>

Viewpoint 1 - Farmsteads off Crockanboy Road	
Potential Effects from Lighting	<p>Artificial lighting of project components, including the process plant, ancillary components and illumination associated with vehicle movements accessing the project site will be perceptible during the construction phase and the initial years of the operational phase. Artificial lighting of the process plant will be less perceptible as the DSF increases in size, gradually screening views towards these project components located to the north of the large scale landform during the operational phase (approximately year 5 onwards).</p> <p>Illumination from vehicles entering the site via the access road, and activities associated with the DSF and WTP will be evident and seen in close proximity views from this location throughout the operational phase, however, lighting sources will be removed following closure and restoration of the site.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be moderate (significant) during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future Cumulative Effects	<p>A consented, but as yet unbuilt, small scale domestic wind turbine is located north-west of the viewpoint. Appearing in the context of the DSF this will be seen as a minor feature in successive views north-west from the viewpoint. No other developments are likely to be visible from this viewpoint.</p> <p>Despite the proximity of this nearby small scale development, significant <i>additional</i> or <i>total cumulative</i> effects on views from this location are unlikely to occur. In summary, potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.2 Viewpoint 2 – Mullydoo Road

Viewpoint 2 - Mullydoo Road			
Grid Ref	259180, 383993	Figure Number	Figure 9.2
LLCA	LLCA 24 South Sperrin	Landscape Designations	Sperrin AONB
Direction of View	West	Distance from nearest Project Components	0.2km
Description of existing view and potential receptors	<p>This viewpoint is located on Mullydoo Road, a minor road to the east of the project infrastructure area, representing views experienced by road users travelling along this road, and local recreational users (cyclists and walkers) who use this road.</p> <p>The viewpoint offers open views west along the Owenreagh Valley including distant views to the most southerly summit of the Sperrins, Mullaghcarn, approximately 10km to the south-west, and close proximity views towards the project infrastructure area. Landform rises gradually to the summit of Crocknamoghil to the north-west of the viewpoint, with the ridge extending westwards to form the central horizon and backdrop to views towards the site. Views south-west with the hill of Crocknamadhan rising above the valley in the background. Rough pasture in the immediate foreground extends to more managed farmland divided by lines of coniferous trees in the middle distance. Moorland and rough grazing are seen at higher elevations, above the lines of coniferous trees in the middle ground.</p>		
Sensitivity (Nature of receptor)	<p>Receptors on this minor road are judged to be of medium susceptibility as they are transient receptors, whether travelling by motor vehicle or undertaking recreation (cycling or walking) along this road and un-promoted route.</p> <p>The view does not represent a recognised stopping place or promoted viewpoint and does not form part of a national tourist route despite its location within the Sperrin AONB, therefore the overall value of the view is considered to be medium.</p> <p>Overall the sensitivity is judged to be medium.</p>		
Magnitude of change	<p>During the construction phase, the main source of effect will be the introduction of the project components including the DSF, portal and berm, and mineral process plant. The</p>		

Viewpoint 2 - Mullydoo Road	
(Nature of effect)	<p>main site access road will be the closest component to the viewpoint, located along the eastern boundary of the project infrastructure area.</p> <p>During the operational phase the main source of effect from this viewpoint will be the project components including the mineral process plant, ancillary components, access road and the DSF. As it is developed, the DSF will form a large feature in the view becoming more perceptible as it increases in size through the deposition of waste rock and filtered tailings.</p> <p>Mitigation planting along the eastern edge of the proposed infrastructure site will be implemented to screen views of the access road and most easterly project components, however the main process plant buildings and the DSF will remain visible above this screening throughout the operational phase.</p> <p>Visual effects will be relatively localised in extent, with similar views experienced from along Mullydoo Road to the north and south, and from nearby residential properties located west of the road.</p> <p>The change in landform from the creation of the DSF will be permanent. Following closure and restoration of the mine, the DSF will be regraded to tie into the contours of the surrounding landscape, and revegetated to fit with the surrounding landcover.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a large/size scale change in the view, experienced locally. The project components will be contained within the matrix of coniferous shelterbelts which will be largely retained. Although many of the construction effects will be short-term, many of the changes to the view will remain through the operational phase. The majority of construction activities will be reversible, and some areas of disturbance only necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be high, and taking account of the medium sensitivity will result in a major (significant) visual effect from this viewpoint.</p>
Operational Phase	<p>During the operational phase large scale changes in the view will occur, associated with the process plant components and the DSF. Overall, the project components will occupy approximately 70 degrees of the available view from this location. Viewed at close proximity, project components will introduce a new focal point visible below the skyline during the majority of the operational phase, however the DSF will appear above the skyline formed by the Curraghinalt Ride in views west from this viewpoint during the operational phase (approximately year5 onwards).</p> <p>Operational effects will arise through the introduction of all project components, however, the development of the DSF will result in a large/size scale of effect experienced at a localised level. The effects will occur long-term, gradually increasing as the DSF increases in size, and despite the progressive restoration and revegetation of this feature it will remain as a perceptible feature in the view.</p> <p>The magnitude of visual change during the operational phase will be high, and taking account of the medium sensitivity will result in a major (significant) visual effect.</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components which are visible from this viewpoint, except the DSF which will remain as a large scale feature within the available view. The shaping, grading and revegetation of the DSF is designed to tie into the surrounding topography and landcover, which will reduce its perceptibility in views from this location.</p> <p>The magnitude of visual change following closure and restoration will be medium, and taking account of the medium sensitivity will result in moderate (significant) visual effect.</p>
Potential Effects from Lighting	<p>Artificial lighting of project components, including the process plant and warehouse, and lighting from vehicles along the access road and car parking area will be evident and seen in close proximity from this location throughout the construction and operational phases. This will introduce lighting to the view towards ridge which is otherwise unaffected by artificial light sources.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be major (significant) during the construction and operational phases, reducing to negligible (not</p>

Viewpoint 2 - Mullydoo Road	
	significant) following closure and restoration once any artificial on site lighting has been removed.
Potential for Future Cumulative Effects	<p>A consented but as yet unbuilt telecommunications mast of 15m in height is located on the summit of Crockanboy Hill in close proximity to the site, potentially appearing as a relatively minor feature in successive views to the north from this viewpoint. A consented small scale domestic wind turbine is also located west of the viewpoint close to the southern extent of the DSF, however visibility is unlikely to be possible from this viewpoint, with views screened by the DSF as it increases in extent. No other developments are likely to be visible from this viewpoint.</p> <p>Despite the proximity of these nearby small scale developments, significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur. In summary, potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.3 Viewpoint 3 – Crockanboy Road (B46)

Viewpoint 3 - Crockanboy Road (B46)			
Grid Ref	258575, 383202	Figure Number	Figure 9.3
LLCA	LLCA 25 Beaghmore Moors & Marsh	Landscape Designations	Sperrin AONB
Direction of View	North, north-west	Distance from nearest Project Components	0.8km
Description of existing view and potential receptors	<p>This viewpoint is located south of the project infrastructure area at the junction of Mullydoo Road and Crockanboy Road (the B46) and represents views experienced by road users travelling west along this road, and similar views experienced from residential properties located to the north and south of the road.</p> <p>The viewpoint offers views north, north-west towards the project infrastructure area, partially screened by intervening foreground topography. The foreground is occupied by pastoral fields bound by degraded hedgerows and post and wire fences and more occasional deciduous boundary trees and shrubs. The open moorland and rough grazing across the slopes of Crocknamoghil, and foreground pastoral landscape, punctuated by broadleaf trees form the distant skyline of the view. Agricultural buildings, partially screened by vegetation, are seen within the landscape towards the centre of view and near the horizon to the north-east.</p> <p>The viewpoint also offers views west along the Owenreagh Valley, with the distinguishable Mullaghcarn visible in distant views to the south-west. Views east and south are defined by the foreground of enclosed pasture fields, however more distant views are possible towards the south-east where Cashel Rock and Cregganconroe are visible on the skyline.</p>		
Sensitivity (Nature of receptor)	<p>Road users on this minor road are judged to be of medium susceptibility to changes in the view as they are transient receptors who will experience oblique views towards the development site. The small number of residential receptors which are represented by this viewpoint are judged to be of high susceptibility to changes in the view.</p> <p>The viewpoint does not represent a recognised stopping place and does not form part of a national tourist route, despite its location within the Sperrin AONB. However, appreciation of the surrounding view is material to the quality of life from the nearby residential properties it represents, therefore the value of the view is therefore judged to be medium.</p> <p>Overall, taking account of the susceptibility of the receptors and the value of the view, the sensitivity is judged to be medium.</p>		
Magnitude of change (Nature of effect)	<p>During the construction phase the main source of effect from this viewpoint will be the introduction of the project components including the DSF, access track, WTP and ponds, and other ancillary components. Project components located within the north-east of the project site will be largely screened by the elevated foreground pastoral landscape.</p>		

Viewpoint 3 - Crockanboy Road (B46)	
	<p>During the operational phase the main source of effect from this viewpoint will be the WTP and ponds, access track and the DSF, which as it is developed will form a large feature becoming more perceptible as it increases in size from the deposition of waste rock.</p> <p>Visual effects will be relatively localised in extent, with similar views experienced east and west of Pollanroe Bridge along Crockanboy Road, and from the curtilages of nearby properties located north and south of the road. However, it is considered unlikely that nearby residential properties will experience principal views looking north-east towards the project infrastructure area.</p> <p>The change in landform from the creation of the DSF will be permanent. Following closure and restoration of the mine the DSF will be regraded to tie into existing contours and revegetated to fit with the surrounding landcover, and will extend above the skyline and will be seen to form part of the horizon to the east of Crocknamoghil.</p> <p>Mitigation in the form of landform bunding and planting along the southern periphery of the infrastructure area will screen some project components of the development, and the lower elevations of the DSF during the early years of operation.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a medium scale change in the view, with similar views experienced from sections of Crockanboy Road to the west of the viewpoint. Although many of the construction effects will be short-term, many of the changes to the view will remain as the project components become operational. The majority of construction activities will be reversible, and some areas of disturbance only necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be low, and taking account of the duration of the effects and the medium sensitivity will result in a minor (not significant) visual effect.</p>
Operational Phase	<p>During the operational phase large scale changes in the view will occur, predominantly associated with the increase in size of the DSF. As the DSF increases in both vertical and horizontal extent, the perceptibility of this component will increase eventually breaking the skyline east of Crocknamoghil during its operational life (approximately year 5 onwards). This will result in a large scale visual effect experienced from this viewpoint and nearby locations, including sections of Crockanboy Road to the west. Overall, the project components will occupy approximately 40 degrees of the available views to the north-west.</p> <p>The effects will occur long-term, gradually increasing as the DSF increases in size, and despite the progressive restoration and revegetation of this feature it will remain as a perceptible feature in the view.</p> <p>The magnitude of visual change during the operational phase will be medium, and taking account of the medium sensitivity will result in a moderate (significant) visual effect.</p>
Closure and Restoration Phase	<p>The majority of the project components which will be removed following closure and restoration, will be screened by the final form of the DSF. The reshaping, grading and revegetation of the DSF is designed to tie into the surrounding topography and landcover, to reduce the perceptibility of this large feature in views from this location, however the landform will permanently redefine the skyline of Crocknamoghil in views from this location.</p> <p>The magnitude of visual change following closure and restoration will be low, and taking account of the medium sensitivity will result in minor (not significant) visual effect.</p>
Potential Effects from Lighting	<p>Existing views north, north-west towards the ridge are relatively unaffected by artificial lighting at present, with no street lighting present along Crockanboy Road and lighting influences limited to nearby farmsteads and residential properties.</p> <p>Artificial lighting of project components, including the WTP and ponds, and activities associated with the access track and DSF will be perceptible during hours of darkness. Illumination associated with the process plant components located to the north-east of the DSF may also be perceptible during the earlier stages of operation, reducing as the DSF increases in size screening potential night glow associated with this area.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be moderate (significant) during the construction and operational phases, reducing to negligible (not</p>

Viewpoint 3 - Crockanboy Road (B46)	
	significant) following closure and restoration once any artificial on site lighting has been removed.
Potential for Future Cumulative Effects	<p>A consented, but as yet unbuilt, small scale domestic wind turbine located to the south-west of the project site is likely to be seen in successive views to the north-west, seen in the context of the adjacent large scale feature of the DSF. No other developments located within close proximity are likely to be perceptible from this viewpoint.</p> <p>Despite the proximity of this small scale development close to the Curraghinalt Project site, significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur. In summary, potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.4 Viewpoint 4 – Aghaboy Road – South of site

Viewpoint 4 – Aghaboy Road – South of site			
Grid Ref	257291, 382073	Figure Number	Figure 9.4
LLCA	LLCA 24 South Sperrin	Landscape Designations	Sperrin AONB
Direction of View	North, north-east	Distance from nearest Project Components	2.5km
Description of existing view and potential receptors	<p>This viewpoint offers wide panoramic views across the Owenreagh River valley looking north, north-east towards the project infrastructure area from an elevated location on the single track Aghaboy Road. The viewpoint represents often oblique views northwards experienced by road users travelling along this road and views experienced from nearby residential properties and their curtilages.</p> <p>From east and west of the viewpoint available views across the valley to the north are often restricted by the presence of roadside hedgerows, field boundary trees and local landform. The viewpoint therefore represents one of a limited number of open views northwards from this minor road.</p> <p>The immediate foreground of the view is occupied by a partially constructed residential property. An undulating patchwork of arable and pastoral farmland, bound by hedgerows, mature field boundary trees and post and wire fences, occupies the middle distance rising gradually to the north. Individual farmsteads, agricultural buildings and residential properties punctuate this pastoral landscape. The horizon is formed by the contrasting open moorland of Crocknamoghil to the north-west and the coniferous shelterbelts which break the skyline west and south of Crockanboy Hill, whilst more distant views towards the core area and Central Sperrin Mountains of the Sperrin AONB are not possible from this viewpoint.</p>		
Sensitivity (Nature of receptor)	<p>Residential receptors are judged to be of high susceptibility to changes in their view, with nearby residential properties affording elevated views northwards across the Owenreagh valley towards the open moorland of the ridge.</p> <p>The viewpoint does not represent a recognised stopping place and does not form part of a national tourist route, despite its location within the Sperrin AONB. However, appreciation of the surrounding view is material to the quality of life from the nearby residential properties it represents, therefore the value of the view is therefore judged to be medium.</p> <p>Overall, taking account of the susceptibility of the receptors and the value of the view, the sensitivity is judged to be high.</p>		
Magnitude of change (Nature of effect)	<p>The proposed infrastructure site will be located towards the centre of view currently occupied by pasture fields defined by shelter belts and blocks of coniferous trees which extend across the horizon between the high points of Crocknamoghil and Crockanboy Hill.</p> <p>During the construction phase the main source of effect from this viewpoint will be the introduction of the project components including preparation of the DSF site, mineral process plant, portal and berm, administrative buildings, warehouse facilities, access tracks, WTP and ponds, and other ancillary components.</p>		

Viewpoint 4 – Aghaboy Road – South of site	
	<p>During the operational phase the main source of effect from this viewpoint will be the above noted project components which will gradually become obscured by the DSF as this feature increases in size, with the process plant, administrative buildings and warehouses becoming almost entirely screened during the latter stages of the operational phase as the DSF extends above the skyline east of Crocknamoghil.</p> <p>The WTP and ponds, portal and berm, and site access track will remain visible to the west and south of the DSF. As it is developed, the DSF will form a large feature in the view becoming more perceptible as it increases in size through the deposition of waste rock and filtered tailings, however progressive restoration of this component will reduce its perceptibility within the surrounding landscape.</p> <p>Residential properties located north and south of Aghaboy Road with principal views looking north will experience open views of the Curraghinalt Project during construction, operational, and closure and restoration phases. Similar views will be experienced from within property curtilage, and when accessing properties from the east and west along Aghaboy Road.</p> <p>Mitigation in the form of landform bunding and planting along the southern periphery of the infrastructure area will be implemented to screen close proximity views, however, from this location the majority of the project components, most notably the DSF, will remain visible.</p> <p>The change in landform from the creation of the DSF will be permanent. Following closure and restoration of the mine, the DSF will be regraded to tie into the contours of the surrounding landscape, and revegetated to fit with the surrounding landcover.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a medium scale change in the view, with similar views experienced from localities to the east and west along Aghaboy Road. Although many of the construction effects will be short-term, many of the changes to the view will remain as the project components become operational. The majority of construction activities will be reversible, and areas of disturbance only necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be medium, and taking account of the high sensitivity and duration of the effects will result in a moderate (significant) visual effect.</p>
Operational Phase	<p>During the operational phase, larger scale and more perceptible changes in the view will occur as the DSF increases in horizontal and vertical extent. At its maximum extent the Curraghinalt Project components will occupy approximately 20 degrees of the available view north from this viewpoint. Although viewed at a distance of over 2km, the project components will introduce a new focal point visible largely below the skyline during the majority of the operational phase, although the covered stock pile and process plant will appear above the skyline following their construction. The DSF will eventually screen these components and appear above the skyline formed by the broad ridge during the operational phase (approximately year 5 onwards).</p> <p>The effects will occur long-term, gradually increasing as the DSF increases in size. However, although the progressive restoration and revegetation of this new large scale landform will help reduce its perceptibility over time, it will remain as a perceptible feature in the view.</p> <p>The magnitude of visual change during the operational phase will be medium, and taking account of the high sensitivity will result in a moderate (significant) visual effect.</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components, except the DSF and passive water management ponds. The reshaping, grading and revegetation of the DSF is designed to tie into the surrounding topography and landcover, reducing its perceptibility within the surrounding landscape in views from this location.</p> <p>The magnitude of visual change following closure and restoration will be low, and taking account of the high sensitivity will result in minor (not significant) visual effect.</p>
Potential Effects from Lighting	<p>Artificial lighting of the project components, and lighting from vehicles along the access road and car parking area will be evident from this location throughout the construction and operational phases. Artificial lighting from the process plant area will become less evident as the DSF increases in size, gradually screening views during the operational phase (approximately year 5 onwards). However, illumination from vehicles entering and</p>

Viewpoint 4 – Aghaboy Road – South of site	
	<p>accessing the site via the access road, and activities associated with the DSF will be evident throughout the operational phase seen in the context of other limited artificial lighting associated with farmsteads and residential properties within the Owenreagh Valley.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be moderate (significant) during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future Cumulative Effects	<p>A consented, but as yet unbuilt, telecommunications mast of 15m in height is located on the summit of Crockanboy Hill in close proximity to the site, potentially appearing as a relatively minor feature in combined views to the north-east from this viewpoint. A consented small scale domestic wind turbine is also located to the north-west of the viewpoint, appearing in the context of the DSF, and likely be imperceptible from this viewpoint at a distance of approximately 2km. No other developments are likely to be perceptible from this viewpoint.</p> <p>Despite the close proximity of these nearby small scale developments to the Curraghinalt Project, significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur. In summary, potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.5 Viewpoint 5 – Greencastle Road

Viewpoint 5 - Greencastle Road			
Grid Ref	257256, 381507	Figure Number	Figure 9.5
LLCA	LLCA 25 Beaghmore Moors & Marsh	Landscape Designations	Sperrin AONB
Direction of View	North, north-east	Distance from nearest Project Components	2.8km
Description of existing view and potential receptors	<p>This viewpoint is located on Greencastle Road, a minor road located south, south-west of the project infrastructure area and representing views experienced by road users and views experienced from nearby residential properties (farmsteads and individual houses).</p> <p>From this location, there are largely open views looking north, north-east towards proposed site. Pastoral farmland and rough grazing forms the immediate foreground of the view with field boundaries comprising hedgerows, treelines and post and wire fences. An undulating patchwork of arable and pastoral farmland bound by hedgerows and treelines rises to the north, with the settlement of Greencastle visible to the north-east. The distant horizon is formed by the open moorland of Crocknamoghil (north-west) and the more settled farmland beneath Crockanboy Hill (north-east). The project site will be located towards the centre of view currently distinguished by the linear belts of coniferous trees. Built features include well-spaced farmsteads, detached residences and wood pole transmission lines, and evidence of recent mineral extraction is visible to the north along Greencastle Road.</p>		
Sensitivity (Nature of receptor)	<p>Vehicular road users are the main transient receptors, however the road also forms part of the White Hare Cycle Route, therefore recreational users on this route are considered to be of medium susceptibility as their attention will be focused on the direction of travel as well as the wider landscape. Similar views are also possible from adjacent residential properties situated along this road to the north and south of the viewpoint which are judged to be of high susceptibility to changes in their views and visual amenity.</p> <p>The view is experienced as part of a promoted cycle route and appreciation of the surrounding view is also material to the quality of life from nearby residential properties. Despite the location of the viewpoint within the Sperrin AONB it is not promoted or documented as representative of particular scenic views and distant views of the Central Sperrins are not possible beyond the intervening skyline of the broad ridge formed by Crockanboy Hill, Crocknamoghil and Mullydoo. Overall the value of the view is judged to be medium.</p>		

Viewpoint 5 - Greencastle Road	
	Overall, taking account of the susceptibility of the receptors and the value of the view, the sensitivity of is judged to be high.
Magnitude of change (Nature of effect)	<p>During the construction phase the main source of effect from this viewpoint will be the construction activities to facilitate the introduction of the project components including the portal and berm, the DSF, mineral process plant, administrative buildings, warehouse facilities, access track, water management ponds, WTP and ancillary components.</p> <p>During the operational phase the main source of effect from this viewpoint will be the above noted project components which overtime will gradually become obscured by the DSF, with the exception of the water management ponds, and WTP. As it is developed, the DSF will form an increasingly large and more perceptible landform feature in the view.</p> <p>The change in landform from the creation of the DSF will be permanent and will irreversible. Following closure and restoration of the mine, the DSF will be regraded to tie into the contours of the surrounding landscape, and revegetated to assimilate this feature as closely as possible into the surrounding landcover.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a medium scale change in the view, experienced locally. Although many of the construction effects will be short-term, the changes to the view will remain as the project components become operational.</p> <p>The magnitude of visual change during construction will be low, and taking account of the high sensitivity will result in a minor (not significant) visual effect.</p>
Operational Phase	<p>During the operational phase large scale changes in the view will occur, associated with the above noted project components and the DSF. At a distance of almost 3km the individual project components will be largely undiscernible however the DSF will form a new focal point within the available view, eventually extending above the existing skyline to the east of Crocknamoghil during the latter stages of operation (approximately years 16-25. Overall, the project components will occupy approximately 15 degrees of the available view, and at its maximum extents the introduction of the DSF will result in a medium scale change which will remain as a perceptible feature in the view.</p> <p>The magnitude of visual change during the operational phase will be medium, and taking account of the high sensitivity will result in a moderate (significant) visual effect.</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components, the majority of which will be screened by the DSF. The WTP will be decommissioned and removed, replaced by a passive water treatment system using existing water management ponds, which along with the DSF will remain as permanent features. The regrading, shaping and revegetation of the DSF is designed to assist in the assimilation of this large scale permanent landform into the surrounding topography and landcover, which will reduce its perceptibility in views from this location.</p> <p>The magnitude of visual change following closure and restoration will be low, and taking account of the high sensitivity will result in minor (not significant) visual effect.</p>
Potential Effects from Lighting	<p>Artificial lighting and glow from project components, and lighting from vehicles accessing the site along the main access road will be evident from this location throughout the construction and operational phases. However, artificial lighting of the process plant will become less perceptible as the DSF increases in size, gradually screening views towards, and containing light from, this area. Illumination from vehicles entering the site via the access road, and activities associated with the DSF will be evident throughout the operational phase, but will be seen in the context of other artificial lighting sources from the settlement of Greencastle, including the local sports ground north of Greencastle, and scattered residential properties and farmsteads within the Owenreagh Valley.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will result in a minor (not significant) visual effect during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future	<p>A consented but as yet unbuilt telecommunications mast of 15m in height is located on the summit of Crockanboy Hill in close proximity to the site, potentially appearing as a minor feature in successive views to the north-east from this viewpoint.</p>

Viewpoint 5 - Greencastle Road	
Cumulative Effects	<p>Three small scale wind turbines are proposed to the east of the project site, which will potentially be evident within views north, north-east from this viewpoint. The scale of these turbines (largest of 54.5m to blade tip height) is unlikely to result in these developments becoming a defining or key feature(s) within the available view and when seen in combined and successive views alongside the Curraghinalt Project, significant additional changes in the view are unlikely to arise. No other developments considered in the cumulative assessment are unlikely to be visible from this viewpoint.</p> <p>In conclusion, significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur, therefore potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.6 Viewpoint 6 – Cashel Rock

Viewpoint 6 – Cashel Rock			
Grid Ref	259954, 380850	Figure Number	Figure 9.6
LLCA	LLCA 25 Beaghmore Moors & Marsh	Landscape Designations	Sperrin AONB
Direction of View	North-west	Distance from nearest Project Components	3.3km
Description of existing view and potential receptors	<p>This viewpoint is located on the western slopes of Cashel Rock, a local hill and site of archaeological interest south-east of the project infrastructure area, representing views experienced by recreational walkers and visitors to this location.</p> <p>This location offers elevated open views north-westwards towards the project site from a distance of approximately 3.3km. The foreground comprises open moorland and rough pasture land cover extending down to the Owenreagh River valley, from where the valley slopes rise towards the rounded open moorland of Crocknamoghil, between Mullydoo in the west and Crockanboy Hill in the east. In more distant views Crockanamadan is visible to the west above the Owenreagh River valley. A number of summits (part of the south Sperrin range) form the horizon to the north-east between Crocknamoghil and Crockanboy Hill. An undulating patchwork of arable and pastoral farmland bound by hedgerows, tree lines and post and wire fences occupy the middle distance and extend west, north-west along the Owenreagh River valley. Linear belts of coniferous trees help distinguish the project site beyond the settlement of Greencastle, whilst the pastoral landscape is punctuated by farmsteads and detached residences situated along the network of minor roads which cross the mid slopes of the valley.</p> <p>The distant most southerly summit of the Sperrins, Mullaghcarn, forms a formidable feature in views to the south-west and existing mineral extraction sites and commercial scale wind farms are visible in views to the south-east and east from this viewpoint.</p>		
Sensitivity (Nature of receptor)	<p>The hill is not a regularly visited location, though recreational receptors who do visit are focused on the view and are considered to be of medium susceptibility. The value of the view is judged to be medium since this is not a recognised viewpoint or well-visited location within the Sperrin AONB, however the location is of particular cultural heritage significance. Overall, sensitivity is judged to be medium.</p>		
Magnitude of change (Nature of effect)	<p>During the construction phase the main source of effect from this viewpoint will be the construction activities to facilitate the introduction of the project components including the portal and berm, the DSF, mineral process plant, administrative buildings, warehouse facilities, access track, water management ponds, WTP and ancillary components.</p> <p>During the operational phase the main source of effect from this viewpoint will be the above noted project components, and the DSF as it increases in size and becomes a large scale feature in the view. The project components, including the DSF will remain below the skyline in views from this location and will not alter the intervening skyline in views towards the more distant and distinguishable mountains of the Central Sperrins.</p> <p>These visual effects will be relatively localised in extent, affecting only a small proportion of the view, and will be viewed within the wider landscape setting.</p>		

Viewpoint 6 – Cashel Rock	
	The change in landform from the creation of the DSF will be permanent following closure and restoration of the mine, however this feature will be regraded to tie into the contours of the surrounding landscape, and revegetated to fit with the surrounding landcover, reducing its perceptibility over time.
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a small scale change in the view, occurring below the skyline and open moorland of the ridge beyond. Although many of the construction effects will be short-term, the changes to the view will remain as the project components become operational. The majority of construction activities will be reversible, and some areas of disturbance necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be low, and taking account of the medium sensitivity will result in a negligible (not significant) visual effect.</p>
Operational Phase	<p>During the operational phase medium scale changes in the view will occur, associated with the above noted project components. Overall, the project components will occupy a small (approximately 10 degree) proportion of the available view from this location. Viewed at a distance of approximately 3.3km, the individual project components will be largely indiscernible and appear below the skyline throughout the operational phase.</p> <p>Throughout the operational phase the DSF will gradually increasing in perceptibility as it increases in both horizontal and vertical size, and despite the progressive restoration and revegetation of this feature it will remain as a perceptible feature in the view.</p> <p>Nevertheless the magnitude of visual change during the operational phase will remain low, and taking account of the medium sensitivity will result in a minor (not significant) visual effect.</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components which are visible from this viewpoint, except the DSF and minor components to the south of this feature (water management ponds and WTP). The regrading and revegetation of the DSF will assimilate this large landscape feature into the surrounding topography and landcover, which will reduce its perceptibility in views from this location. The final landform of the DSF will not extend above the skyline of the ridge beyond and the distant skyline of the Sperrin Mountains to the north.</p> <p>The magnitude of visual change following closure and restoration will be low, and taking account of the medium sensitivity will result in negligible (not significant) visual effect.</p>
Potential Effects from Lighting	<p>The illumination of project components will be visible during the hours of darkness throughout the construction and operational phase from this location. However, visibility of lighting will largely be seen in the context other existing artificial lighting associated with residential properties, farmsteads and the small settlement of Greencastle in the middle ground of views towards the ridge. Lighting from moving vehicles across the site will also be visible.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be minor (not significant) during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future Cumulative Effects	<p>Due to the elevated and open panoramic views available a number of other existing, consented and proposed developments including commercial scale wind farms and mineral extraction sites will be visible from this viewpoint.</p> <p>Within close proximity to the project site, a number of small scale domestic scale wind turbines often appearing close to agricultural buildings and farmsteads on the edge of Greencastle, and a small scale telecommunications mast will be visible in views north, north-east across the Owenreagh River Valley. However, due to the small scale of these turbines (largest of 54.5m to blade tip height) these developments are unlikely to become a defining or key feature(s) within the available view and when seen in combined and successive views alongside the Curraghinalt Project, significant additional changes in the view are unlikely to arise.</p> <p>In more distant views (5-15km) to the north-east, south-east and east of the viewpoint, large scale wind farms are visible, often forming a distinguishable feature on the skyline. Additional consented and proposed mineral extraction sites are located to the east, south-</p>

Viewpoint 6 – Cashel Rock	
	<p>east of the viewpoint however intervisibility is likely to be screened by intervening topography and coniferous woodland.</p> <p>In conclusion, significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur, therefore potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.7 Viewpoint 7 – Aghaboy Road – South-west of site

Viewpoint 7 - Aghaboy Road – South-west of site			
Grid Ref	255689, 381866	Figure Number	Figure 9.7
LLCA	LLCA 24 South Sperrin	Landscape Designations	Sperrin AONB
Direction of View	North-east	Distance from nearest Project Components	3.5km
Description of existing view and potential receptors	<p>This viewpoint is located on the single track Aghaboy Road, approximately 3.5km south-west of the project infrastructure area on the north facing slopes of the Owenreagh River valley. The viewpoint represents views experienced by road users and nearby residential receptors.</p> <p>The viewpoint offers open views northwards across the valley and west along the valley, however, views to the south and east are largely contained by surrounding landform. Distant views to the Sperrin Mountains to the north, north-east are screened by the intervening broad ridge of Mullydoo, Crocknamoghil and Crockanboy Hill, which forms the defining open moorland skyline, punctuated by linear blocks of coniferous forestry which define the Curraghinalt Project site. No other existing mineral extraction sites are visible in views from this viewpoint.</p> <p>The immediate foreground of the view comprises rough grazing bound by post and wire fencing, hedgerows and broadleaf woodland, whilst Glensawick Burn dissects the improved pastoral farmland in the middle ground, descending towards the Owenreagh River to the north. Characteristic 'ladder fields' are evident across the south facing slopes of the Owenreagh Valley, with scattered properties and farmsteads punctuating the farmland landscape. The pastoral farmland rises towards the upper slopes, from where a landcover of rough grazing and open moorland presents an evident change in character. The project site is identifiable on the skyline between Crocknamoghil and Crockanboy Hill, with the matrix of coniferous woodland blocks a discernible feature in the view.</p>		
Sensitivity (Nature of receptor)	<p>Road users of this minor road are judged to be of medium susceptibility as they are transient receptors, however it is acknowledged that these people may be travelling to and from nearby residential properties. The viewpoint also represents views from a small number of residential properties situated along Aghaboy Road. These residential receptors are judged to be of high susceptibility to changes in their views and visual amenity.</p> <p>The view does not represent a recognised stopping place or documented viewpoint and does not form part of a national tourist route, despite its location within the Sperrin AONB. However, appreciation of the surrounding view is material to the quality of life from the residential properties it represents, therefore, the value of the view is judged to be medium.</p> <p>Overall, the sensitivity of representative receptors is judged to be high.</p>		
Magnitude of change (Nature of effect)	<p>During the construction phase the main source of effect from this viewpoint will be the construction activities to facilitate the introduction of the project components including the portal and berm, the DSF, mineral process plant, administrative buildings, warehouse facilities, access road, water management ponds, WTP and ancillary components. Visual effects will be localised in extent and will affect a small proportion of the view.</p> <p>During the operational phase the main source of effect will be the increase in size and extent of the DSF which will also gradually obscure views towards the mineral process plant components located to the north, north-east of the DSF.</p>		

Viewpoint 7 - Aghaboy Road – South-west of site	
	<p>Mitigation planting along the southern edge of the proposed infrastructure area will be implemented and will partially screen views of the access road, water management ponds and WTP from this viewpoint.</p> <p>The new landform of the DSF will become a permanent feature in the landscape, however, this feature will be graded during closure and restoration to tie the landform into the contours of the surrounding landscape, and revegetated to fit with the surrounding landcover.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase general disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a medium scale change in the view. The process plant components, including the covered stockpile and process plant, will extend above the skyline partially backclothed by the existing matrix of coniferous woodland belts which will be retained. Although many of the construction effects will be short-term, the changes to the view will remain as the project components become operational introducing a new feature and land use, mineral extraction site, to the view. The majority of construction activities will be reversible, and some areas of disturbance necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be low, and taking account of the duration of the effects and the high sensitivity will result in a negligible (not significant) visual effect.</p>
Operational Phase	<p>During the operational phase further changes in the view will occur, predominantly associated with the increasing horizontal and vertical extent of the DSF, which will introduce a new focal point to the view visible during the majority of the operational phase. However, at its maximum extent the DSF and project components will occupy a small proportion of the available view (approximately 10-12 degrees).</p> <p>Most project components north of the DSF will gradually become obscured by the DSF during the operational phase (approximately year 5 onwards), when this component will eventually extend above the existing skyline of coniferous woodland between Crocknamoghil and Crockanboy Hill. Project components located to the south of the DSF including the water management ponds and WTP will remain visible.</p> <p>The effects during the operational phase will occur long-term, gradually increasing as the DSF increases in size, and despite the progressive restoration and revegetation of this feature it will remain as a perceptible feature in the view.</p> <p>The magnitude of visual change during the operational phase will be low, and taking account of the high sensitivity will result in a minor (not significant) visual effect from this location.</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components which are visible from this viewpoint, except the DSF and passive water management ponds which will remain. The shaping, grading and revegetation of the DSF will be undertaken to integrate this permanent feature into the surrounding topography and landcover, which will reduce its perceptibility in views from this location.</p> <p>The magnitude of visual change following closure and restoration will be barely perceptible, and taking account of the high sensitivity will result in a negligible (not significant) visual effect.</p>
Potential Effects from Lighting	<p>Illumination from artificial lighting of project components will be visible during the hours of darkness throughout the construction and operational phases from this location. Although visibility of lighting will largely be seen in the context other existing artificial lighting associated with residential properties and farmsteads within the Owenreagh Valley, the proposal will introduce lighting to the upper reaches of the valley towards the broad ridge which is otherwise unaffected by existing artificial light sources.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be minor (not significant) during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future	<p>Due to the relatively contained nature of views to the south and east from this viewpoint, and the absence of views northwards outside of the Owenreagh River Valley very few other developments considered in the assessment will be visible from this viewpoint.</p>

Viewpoint 7 - Aghaboy Road – South-west of site	
Cumulative Effects	<p>Within close proximity to the project site, a number of small scale domestic scale wind turbines often appearing close to agricultural buildings and farmsteads on the edge of Greencastle, and a small scale telecommunications mast will be visible in views north, north-east across the Owenreagh River Valley. However, due to the small scale of these turbines (largest of 54.5m to blade tip height) these developments are unlikely to become a defining or key feature(s) within the available view and when seen in combined and successive views alongside the Curraghinalt Project, significant additional changes in the view are unlikely to arise.</p> <p>In conclusion, potential significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur, therefore cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.8 Viewpoint 8 – Barony Road (A505)

Viewpoint 8 – Barony Road (A505)			
Grid Ref	256751, 379452	Figure Number	Figure 9.8
LLCA	LLCA 43 Carrickmore Hills	Landscape Designations	Sperrin AONB
Direction of View	North	Distance from nearest Project Components	4.9km
Description of existing view and potential receptors	<p>This viewpoint is situated on the main A-road through the study area, the A505 (Barony Road) which forms part of the Central Sperrins Scenic Route, and represents relatively long distance often oblique views north towards the proposed infrastructure site experienced by road users.</p> <p>The landform in the immediate foreground is relatively flat with the Owenreagh River valley appearing out of view in the middle distance. Landform rises north to the high point of Crocknamoghil between Mullydoo in the west and Crockanboy Hill in the east. From west to east the horizon is formed by the background summits of Slievebeg, Slievemore, Craignamaddy, Mullaghbane and Mullaghbolig rising between Crocknamoghil and Crockanboy Hill. Further west are the summits of Oaghmonicroy, Keraghbrien and Mullaghturk.</p> <p>Foreground landcover comprises moorland and rough grazing divided by wire and post fencing, hedgerows, individual broadleaf trees and shelterbelts. The background landscape consists of undulating farmland to the north-east and more open elevated moorland to the north-west. Built features include scattered farmsteads, wood pole power lines and the small settlement of Greencastle can be seen in the background to the north. The area which will be occupied by the project site consists of farmland bound by existing coniferous tree lines, situated on lower ground between Crocknamoghil and Crockanboy Hill.</p> <p>It should be noted that direct views of the proposed development are unlikely to be experienced from this route as views towards the project infrastructure area will be largely oblique to the direction of travel.</p>		
Sensitivity (Nature of receptor)	<p>Receptors on this A-road are judged to be of medium susceptibility as they are transient receptors. Although the view is experienced as part of the Central Sperrins Scenic Route, a promoted tourist visitor route through the Sperrin AONB, this elevated section of the road offers very few opportunities to appreciate the view safely. Overall the value of the view is considered to be medium.</p> <p>Taking account of the transient nature and susceptibility of receptors on this route and the oblique angle and value of the views, overall the sensitivity is judged to be medium.</p>		
Magnitude of change (Nature of effect)	<p>During the construction phase the main source of effect from this viewpoint will be the construction activities seen at a distance of approximately 4.9km to facilitate the introduction of the project components including the portal and berm, the DSF, mineral process plant, administrative buildings, warehouse facilities, access track, vehicle movement, water management ponds and WTP, and ancillary components.</p> <p>During the operational phase the main source of effect from this viewpoint will be the operational activities associated with the above noted project components.</p>		

Viewpoint 8 – Barony Road (A505)	
	Visual effects will be relatively localised in extent and viewed within the wider landscape setting. The change in landform from the creation of the DSF will be permanent. Following closure and restoration of the mine, the DSF will be regraded to tie into the contours of the surrounding landscape, and revegetated to fit with the surrounding landcover, and reducing its perceptibility.
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>During the construction phase disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a small scale change in the view from this viewpoint. Changes will be seen below the skyline formed by the broad ridge. Although many of the construction effects will be short-term, the changes to the view will remain as the project components become operational. The majority of construction activities will be reversible, however some areas of disturbance necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be low, taking account of small scale, short duration and distance from the project site. Combined with the judgement of medium sensitivity, this will result in a negligible (not significant) visual effect.</p>
Operational Phase	<p>During the operational phase, a small scale change in the view will occur, associated with the above noted project components. Overall, the project components will occupy an angle of view of approximately ten degrees. Viewed at a distance of approximately 3.5km, project components will be largely visible below the skyline during the majority of the operational phase, and will not affect the intervening skyline of views towards the distant summits of the Central Sperrins to the north, north-west.</p> <p>Project components located north of the DSF will gradually become obscured during the operational phase (approximately year 5 onwards) as the DSF increases in size. Project components to the south of the DSF including the water management ponds and WTP will remain visible, but will be largely undiscernible at this distance.</p> <p>The effects will occur long-term, and the DSF will become gradually more discernible as this component increases in size, and despite the progressive restoration and revegetation of this feature it will remain as the most perceptible feature in the view.</p> <p>The magnitude of visual change during operational phase will be low, taking account of small scale change and distance from the project site. Considering the sensitivity of receptors, the overall visual effect will be minor (not significant).</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components which are visible from this viewpoint, except the DSF and passive water management ponds which will remain as permanent features. Restoration of the DSF will reduce its perceptibility, and will consist of reshaping, regrading and revegetation designed to tie this component into the surrounding topography and landcover.</p> <p>The magnitude of visual change following closure will be low, and when combined with the medium sensitivity of receptors, will result in a negligible (not significant) visual effect.</p>
Potential Effects from Lighting	<p>Some distant illumination produced by artificial lighting of project components will be perceptible during the hours of darkness throughout the construction and operational phase from this location. However, any visibility will largely be seen in the context of other existing artificial lighting associated with residential properties and farmsteads, and the local sports ground north of Greencastle to the east of the project site. The project site will introduce lighting to the view towards the broad ridge which is otherwise unaffected by artificial light sources.</p> <p>Overall the effects from lighting from this viewpoint will be seen for a short duration at an oblique angle of view, and will be minor (not significant) during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future Cumulative Effects	<p>Due to the elevated and open panoramic views available from this location, a number of other existing, consented and proposed developments including commercial scale wind farms and mineral extraction sites will be visible from this viewpoint and nearby sections of the A505</p> <p>No other developments are likely to be visible in the direction of the project site, however commercial scale wind farms will be visible in longer distance views to the north-east (Doraville), east (Beltonanean) and south-east (Crockdun), each of which will appear as a more discernible feature in the view when seen in combined and successive views</p>

Viewpoint 8 – Barony Road (A505)	
	<p>alongside the Curraghinalt Project. Small scale domestic wind turbines will be visible in views towards Greencastle, however these will appear backclothed and within the context of other man-made elements in the view. Significant additional changes in the view are unlikely to arise from the presence of these other developments.</p> <p>Additional consented and proposed mineral extraction sites are located to the south and south-east of the viewpoint, however intervisibility of these developments is likely to be screened by intervening topography and coniferous woodland.</p> <p>In conclusion, significant <i>additional</i> or <i>total/combined</i> cumulative effects on views from this location are unlikely to occur, therefore potential cumulative visual effects on views from this viewpoint are judged to be negligible (not significant).</p>

Table 9.9 Viewpoint 9 – Mullaghcarn

Viewpoint 9 – Mullaghcarn			
Grid Ref	251052, 380975	Figure Number	Figure 9.9
LLCA	LLCA 26 Bessy Bell & Gortin	Landscape Designations	Sperrin AONB
Direction of View	North-east	Distance from nearest Project Components	8.0km
Description of existing view and potential receptors	<p>This viewpoint is situated at the summit of Mullaghcarn, the most southerly summit of the Sperrins, and highest point at the eastern edge of the Gortin Forest Park. The viewpoint represents long distance views experienced by recreational walkers/cyclists.</p> <p>The foreground of the elevated view towards the site is occupied by open moorland and areas of rough grazing, rolling down to the Owenreagh River valley. The characteristic 'ladder' field pattern of the pastoral farmland across the valley slopes is clearly visible in the middle distance fields are bound by hedgerows, stone dykes and tree lines. Linear belts of coniferous trees are located above the fields on the lower ground between Crocknamoghil and Crockanboy Hill, which define the project site. To the north the vast expanses of open moorland and coniferous woodland plantations of the South Sperrins are evident, whilst the distinguishable Sperrin Mountains form the distant skyline to the north, north-east.</p> <p>Built features include scattered farmsteads and detached residencies dotted across the farmland landscape, with the small settlement of Greencastle visible at the eastern reaches of the Owenreagh River valley.</p> <p>Panoramic views to the east, south-east and south are punctuated by the presence of commercial scale wind farms and evidence of mineral extraction across the Carrickmore Hills and plateau, whilst views west across the Gortin Forest Park and the Strule River Valley below extend westwards to the settlement of Newtown Stewart within the Foyle Valley. Views south-west towards the town of Omagh are largely screened from the summit by intervening landform, however the expansive farmland landscape which defines the lowlands of this area is evident to the south.</p>		
Sensitivity (Nature of receptor)	<p>Walkers and cyclists are judged to be of high susceptibility to changes in the surrounding view whilst experiencing the landscape from this location, and whilst undertaking the journey to the summit.</p> <p>Views from this prominent hill summit are considered to be of regional importance and of value to receptors who visit this area from further afield. However, the viewpoint is not part of a national tourist route, although the Ulster Way passes through the Gortin Forest Park to the west and the viewpoint represents an accessible and promoted location to visit from within the Gortin Forest Park, offering panoramic views across the Sperrin AONB. Man-made features are an existing part of the available wider view in each direction from this location, whilst two telecommunication masts and a helipad are located close to the summit cairn. Overall the sensitivity is judged to be high.</p>		
Magnitude of change	<p>Construction activities, seen at a distance of approximately 8km, will be barely perceptible from this viewpoint. However, the general change in landcover as the project site, largely contained within the matrix of linear shelterbelts of coniferous woodland, is cleared of</p>		

Viewpoint 9 – Mullaghcarn	
(Nature of effect)	<p>existing vegetation prior to construction of the project components and the DSF will be discernible.</p> <p>During the operational phase individual project components are unlikely to be discernible, however the portal berm, and the DSF will gradually become perceptible as new landforms in the view.</p> <p>The change in landform from the creation of the DSF will be permanent, however, following closure and restoration of the proposed development, the DSF will be regraded to tie into the contours of the surrounding landscape, and revegetated to fit with the surrounding landcover reducing its perceptibility.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	<p>Construction disturbance associated with preparatory groundworks and construction of project components will be evident from this viewpoint, resulting in a small scale change, seen within the vast views of the surrounding landscape. All changes will be visible below the skyline, and will not affect the distinguishable mountainous skyline of the Sperrins to the north, north-east.</p> <p>The magnitude of visual change during construction will be barely perceptible, taking account of the distance from the project site and the small scale of change, affecting only a very small proportion of the available view from this location. Despite the high sensitivity of receptors, this will result in a negligible (not significant) visual effect.</p>
Operational Phase	<p>During the operational phase a small scale changes in the view will occur, as the DSF increases in size and perceptibility. However, at this distance the individual components of the project will be largely undiscernible, and those located north of the DSF will gradually become partly obscured during the operational phase (approximately year 5 onwards) as the DSF increases in size. Although visible in the view to high sensitivity receptors, the project will not become a focal point in the panoramic views available from this viewpoint, and will result in a minor (not significant) visual effect from this viewpoint and similar elevated locations on the eastern flanks of the Gortin Forest Park.</p>
Closure and Restoration Phase	<p>This phase will see the removal of the majority of the project components, however the main source of visual effects, the DSF, will remain permanently. The regrading and shaping of the DSF will be largely indiscernible at this distance, however as this feature is revegetated surrounding land cover, which will reduce its perceptibility in views from this location.</p> <p>The magnitude of visual change following closure and restoration will be barely perceptible, taking account of the long distance views and small scale change within the context of the wider landscape. Taking account of the high sensitivity of receptors, this will result in a negligible (not significant) visual effect from this location.</p>
Potential Effects from Lighting	<p>Evidence of distant artificial lighting across the landscapes found at lower elevations is a feature of views in every direction from this viewpoint. Project components illuminated by artificial lighting will be visible during the hours of darkness throughout the construction and operational phase. However, this will largely be seen in the context of other existing lighting associated with residential properties and farmsteads, and the settlement of Greencastle. Nevertheless the site will also extend the influence of artificial lighting towards the ridge which is otherwise unaffected by artificial lighting sources, however, higher sensitivity recreational users are unlikely to be present at this viewpoint location after daylight hours to experience these effects.</p> <p>Overall the effects from lighting from this viewpoint will be localised, and will be minor (not significant) during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future Cumulative Effects	<p>The hill summit of Mullaghcarn offers long distance 360 degree panoramic views from which many of the other developments considered in the cumulative assessment will be discernible. However, due to the distance and scale of many of these developments (e.g. domestic scale wind turbines, wood pole power lines, mineral extraction sites), significant visual effects are very unlikely to arise from the presence of these additional developments, or in combination with the Curraghinalt Project.</p> <p>A number of commercial scale wind farm developments will be visible from this viewpoint, each appearing as discernible features above the skyline in views to the north-east (Doraville), east (Beltonanean) and south-east (Crockdun) of the viewpoint. Despite the presence of these developments in views from the viewpoint, views towards the Central</p>

Viewpoint 9 – Mullaghcarn	
	<p>Sperrin Mountains to the north, north-east will be largely unaffected by these developments.</p> <p>Overall the potential <i>additional</i> or <i>total/combined</i> cumulative visual effects from this viewpoint will be negligible (not significant).</p>

Effects on Views from Settlements

- 9.5 The settlements in the study area from which potential views of the proposed project may be experienced are assessed below.

Table 9.10 Greencastle

Greencastle			
Representative Viewpoints	VP3. Crockanboy Road (B46)	Distance from nearest Project Components	1.2km
Location and Existing View	<p>Greencastle is a hamlet in County Tyrone broadly centred at the crossroads between Crockanboy Road and Greencastle Road in the foothills of the Sperrin Mountains north of the Owenreagh River. The settlement comprises a core of largely modern one and two storey, detached and semi-detached residences south of Crockanboy Road. Other outlying more scattered detached residences and farmsteads of varying age are located out with this core development.</p> <p>Residential properties are situated at varying orientation. Views to the north are largely contained by rising landform. Longer distance views are possible to the east, south and along the Owenreagh River valley to the west.</p>		
Sensitivity (Nature of receptor)	<p>Residential receptors are considered to be of high susceptibility to changes in their views and visual amenity. Although the settlement lies within the Sperrin AONB, views out with the settlement are relatively limited including those towards the core area of the Central Sperrin Mountains to the north, north-west, therefore the value of the view is therefore judged to be medium. Overall sensitivity is judged to be high.</p>		
Magnitude of change (Nature of effect)	<p>Theoretical visibility of the Curraghinalt Project from the settlement is shown by the ZTVs shown on Figures 6.3a-d, which indicates that relatively limited extents of the proposed development will be visible from the settlement. Despite the close proximity of the project site to the settlement, visibility will be limited to the latter years of the operational phase generally experienced from outlying more scattered properties west of Greencastle Road, and from some properties within the clustered development south of Crockanboy Road in views to the north-west.</p> <p>The project site is largely imperceptible from the settlement as the site is largely screened by intervening undulating landform, and coniferous shelter belts located across the northern slopes of the Owenreagh Valley between the project site and the settlement.</p>		
Significance of visual effects during each Assessment Phase			
Construction Phase	<p>During the construction phase the main source of effect will be visibility of construction traffic heading to and from the site. The introduction of project components will be largely screened by intervening landform resulting in a barely perceptible change. The majority of construction activities will be short-term, reversible, and some areas of disturbance only necessary to facilitate construction will be restored.</p> <p>The magnitude of visual change during construction will be barely perceptible, and taking account of the high sensitivity will result in a negligible (not significant) visual effect.</p>		
Operational Phase	<p>During the operational phase (approximately year 5 onwards) the DSF will become discernible in views to the north-west from some locations within the settlement. These will be limited to views from the western edge of the settlement, which are not screened by intervening vegetation, tree cover or buildings located along the north side of Crockanboy Road and the northern slopes of the Owenreagh Valley.</p> <p>The highest part of the DSF will appear above the intervening skyline east of Mullydoo Road, however the presence of coniferous woodland shelter belts will largely screen</p>		

Greencastle	
	<p>views of this new landform so that is almost undiscernible in most views, resulting in small scale change in the view.</p> <p>Other project components will be imperceptible from the settlement, screened by intervening landform and landscape features.</p> <p>The magnitude of visual change during the operational phase will be low, and taking account of the high sensitivity will result in a minor (not significant) visual effect from the settlement as a whole.</p>
Closure and Restoration Phase	<p>The only discernible changes which will be evident from the settlement during the closure and restoration phase will be the regrading and revegetation of the DSF which will reduce its perceptibility in views where it is discernible at the cease of operations.</p> <p>The magnitude of visual change following closure and restoration will be barely perceptible, and taking account of the high sensitivity will result in negligible (not significant) visual effect.</p>
Potential Effects from Lighting	<p>Direct views of artificial lighting of project components are considered unlikely from the settlement taking account of the screening by intervening landform, landscape features and built form. However, some illumination of the project site will be perceived as glow above the skyline, although this will be less perceptible as the DSF increases in size, gradually providing further screening of the artificially lit project components during the operational phase (approximately year 5 onwards).</p> <p>Overall the effects from lighting from Greencastle will be localised, seen in the context of other artificial lighting within the boundaries of the settlement and the sports ground to the north, resulting in a minor (not significant) visual effect during the construction and operational phases, reducing to negligible (not significant) following closure and restoration once any artificial on site lighting has been removed.</p>
Potential for Future Cumulative Effects	<p>Visibility of other developments considered in the cumulative assessment is limited to those developments located in close proximity of the settlement including three separate in-planning domestic scale 250Kw wind turbines (including an at appeal development south of Aughascribba Road, a development pending decision north-east of Mullydoo Road and a consented development north of Crockanboy Road.) situated close to agricultural buildings and farmsteads to the east of the settlement and the consented but as yet unbuilt telecommunications mast of 15m in height located on the summit of Crockanboy Hill in close proximity to the project site.</p> <p>Each of these developments will appear as a minor feature in views from the settlement, but other than the small scale telecommunications located on Crockanboy Hill, are unlikely to appear in combined views alongside the Curraghinalt Project.</p> <p>Despite the proximity and limited visibility of the Curraghinalt Project and these small scale developments from the settlement of Greencastle significant <i>additional</i> or <i>total/combined</i> cumulative effects on views will be negligible (not significant).</p>

Effects on Views from Groups of Residential Properties

- 9.6 The potential effects on views from groups of residential properties within approximately 3km of the Curraghinalt Project are considered below. An assessment of potential changes in views and visual amenity from each individual property has not been undertaken, however, where appropriate specific properties are referenced, and considered as representative of views experienced from the different identified property groups.
- 9.7 The nature of the view from property groups, including the general direction of the view, the orientation of properties, the location of gardens or curtilage areas, access and the presence of intervening features such as vegetation are also considered, including seasonal changes in the view and potential changes to forestry.
- 9.8 An assessment of potential additional cumulative visual effects arising from the proposed development in conjunction with other developments has not been undertaken for each residential property group. The focus of the assessment of views from residential property groups is upon immediate views towards the proposed development within an approximate 3km radius, within which no other large scale proposed developments (as listed in **Table 6.6**) are located. Nevertheless, cumulative visual effects are considered from viewpoints located within the 3km as shown on **Figure 6.7**, from which no significant additional cumulative visual effects are identified.

- 9.9 All residential receptors are considered to be of high susceptibility to changes in views from their place of residence. An appreciation of the surrounding view is often material to the quality of life from residential properties, and are therefore judged to be of medium value. Overall, the sensitivity of all residential receptors is judged to be **high**.

Table 9.11 Residential Property Group A

Residential Property Group A			
Representative Viewpoints	n/a	Distance from nearest Project Components	Approx. 3.2km – 3.8km
Description of Properties and Existing Views	<p>This group consists of three properties located on Gorticashel Road, at a distance of over 3.2km to the north-east of the site, east of the Owenkillew River. The nearest property, 252 Gorticashel Road is located approximately 3240m from the project site. The individual properties are each detached residences or farmsteads located on the south side of Gorticashel Road and orientated with principal views focused towards the south, whilst affording generally open views in other directions.</p> <p>An existing mineral extraction site is located on the north facing slopes of the Owenkillew Valley and forms a distinguishable feature in the middle distance of views towards the Curraghinalt Project site.</p>		
Magnitude of change (Nature of effect)	<p>The majority of the development components will be located beyond the broad ridge, and most specifically Crockanboy Hill, which will screen views throughout the construction and much of the operational phases of the project. During the latter part of the operational phase some visual effects will be experienced from these properties as the DSF increases in vertical height, and will remain visible above this skyline during the subsequent closure and restoration phase, seen in relatively long distance views to the south-west.</p> <p>Views will also be filtered by vegetation within property grounds and along field boundaries, including hedgerows and lines of coniferous trees.</p> <p>There are likely to be sequential views of the very latter stages of the DSF available from Gorticashel Road when travelling south-west away from these properties, however roadside vegetation will partially screen and filter views.</p> <p>Visibility of light glow from artificial lighting of the Curraghinalt Project may be possible during the construction and operational phases, but will be seen in the context of other lighting associated with residential properties and farmsteads within the Owenkillew Valley.</p> <p>Overall the magnitude of visual change from residential receptors within this property group is judged to be barely perceptible.</p>		
Significance of visual effects during each Assessment Phase			
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).		
Operational Phase	Overall the visual effect during the operational phase of the project is considered to be negligible (not significant).		
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).		
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases but will be barely perceptible and result in negligible (not significant) visual effects.		

Table 9.12 Residential Property Group B

Residential Property Group B			
Representative Viewpoints	n/a	Distance from nearest Project Components	Approx. 2.3km - 4.5km
Description of Properties and Existing Views	<p>This group consists of forty three properties located on Crockanboy Road, Mullydoo Road, Leaghan Road and one property south of Blackbog Road, at a distance of over 2.4km south-east of the site. The nearest property 30 Mullydoo Road is located approximately 2.3km from the project site. Individual properties are each detached residences or farmsteads.</p> <p>The orientation of properties and therefore their principal views vary. The project site will feature in views looking north-west partially contained by elevated foreground landform and the settlement of Greencastle, and will be subject to localised screening by vegetation within property grounds and other intervening field boundary hedgerows and treelines. Properties orientated with largely unrestricted principal views towards the project site to the north-west, include 3 Blackbog Road. Views from 7 and 9 Mullydoo Road on the western slopes of Slievemenagh predicted to have the highest level of visibility and will experience oblique views towards the site. Taking account of the varying orientation of other properties in this group, it is considered unlikely that direct views towards the project site will be experienced, however oblique views will be possible foreshortened by undulating landform and filtered by intervening vegetation.</p>		
Magnitude of change (Nature of effect)	<p>Most project components will be screened from properties within this group, with the main source of visual effect being the DSF during the operational phase as it increases in horizontal size and vertical height, and will remain visible above the skyline formed by the Crockanboy Hill and Crocknamoghil during the subsequent closure and restoration phase, seen in views to the north-west.</p> <p>Visibility of the DSF from properties within the group will vary, from properties situated at higher elevation east of Crockanboy Road and Mullydoo Road, including from 7 and 9 Mullydoo Road, it is likely that the DSF will be visible during a larger part of the operational phase. Project components including the Covered Stock Pile and Process plant will also likely be visible during the operational phase. Conversely taking account of screening by intervening landform properties 30 and 32 Mullydoo Road in the north of the group will experience visual effects associated with the DSF during the latter part of the operational phase (years 12 to 26).</p> <p>Visibility of the DSF, and where visible other project components will vary in extent dependant on orientation, foreshortening by localised screening and filtered by vegetation within property grounds and by field boundary hedgerows and tree lines.</p> <p>There is likely to be some perceived increase in night time light generated by project components during the construction and operational phases. This will be seen in the context of lighting associate with the Greencastle playing fields and residential properties and farmsteads on Greencastle Road to the north-west.</p> <p>Given the largely oblique nature of views the overall magnitude of visual change is judged to be low.</p>		
Significance of visual effects during each Assessment Phase			
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).		
Operational Phase	Taking account of the low magnitude of change, the overall the visual effect during the operational phase of the project from properties which afford open views towards the proposed infrastructure site is considered to be minor (not significant).		
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).		
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases but will be barely perceptible and seen in the context of intervening lighting from the settlement of Greencastle and result in negligible (not significant) visual effects.		

Table 9.13 Residential Property Group C

Residential Property Group C			
Representative Viewpoints	n/a	Distance from nearest Project Components	Approx. 1.1km - 1.6km
Description of Properties and Existing Views	<p>Property Group C consists of twelve properties in the north-eastern part of the small settlement of Greencastle at a distance of over 1.1km south-east of the site, mainly comprising detached residences and farmsteads located on the west side of Greencastle Road, and two properties located north of Crockanboy Road. The nearest property 276 Crockanboy Road is located approximately 1100m from the project site.</p> <p>Existing views looking north-west towards the project site are largely contained by the southern slopes of Crockanboy Hill, and vegetation/woodland screening to the rear of properties along Greencastle Road.</p> <p>With the exception of residence 146 Greencastle Road (with principal views orientated south-west) properties west of Greencastle Road have principal views orientated south-east, with secondary (rear) views focused north-west towards the project site. Properties 276 and 286 Crockanboy Road are orientated with principal views to the south-west and are unlikely to experience direct views of the project site, although oblique views are likely to be possible.</p>		
Magnitude of change (Nature of effect)	<p>The majority of project components will be screened by the lower slopes of Crockanboy Hill west of the property group throughout the construction and much of the operational phase. Visual effects will be experienced from these properties during the latter part of the operational phase as the DSF increases in vertical height and will remain visible above the skyline formed by Crockanboy Hill following the closure and restoration phase, seen in views to the north-west, predominantly from the rear of properties along Greencastle Road.</p> <p>Views towards the DSF in the latter stages of development will be foreshortened by built form, vegetation within property curtilage and filtered by intervening vegetation delineating field boundaries.</p> <p>Taking account of the proximity and limited existing lighting on Crockanboy Hill there is likely to be some perceived increase in indirect night time light glow generated by project components during the construction and operational phases, although this will be seen in the context of the nearby lighting at the .</p> <p>Given the close proximity and potential for direct secondary (rear) views the overall the magnitude of change is judged to be barely perceptible.</p>		
Significance of visual effects during each Assessment Phase			
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).		
Operational Phase	Taking account of the barely perceptible magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be negligible (not significant).		
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).		
Potential Effects from Lighting	Light glow will be evident during the construction and operational phases but will be barely perceptible and seen in the context of intervening lighting from the settlement and local sports ground north of Greencastle, resulting in negligible (not significant) visual effects.		

Table 9.14 Residential Property Group D

Residential Property Group D			
Representative Viewpoints	n/a	Distance from nearest	Approx. 800m – 1.8km

Residential Property Group D	
	Project Components
<p>Description of Properties and Existing Views</p>	<p>Property Group D consists of 81 properties within the southern part of Greencastle, south of Crockanboy Road and properties located within the cul-de-sac roads of Maryville and Sheskinshule View which are accessed from Greencastle Road to the south-east of the site. The group comprises a clustered development of largely modern detached and semi-detached residences on the west, south-west side of the settlement, and a number of more scattered outlying properties. The closest property 271 Crockanboy Road is located approximately 800m from the project site.</p> <p>The orientation and principal views of properties vary, however generally properties afford open views southwards across, or westwards along the Owenreagh Valley. Views north-west towards the project site are largely contained by the foreground landform of Crockanboy Hill.</p> <p>Properties likely to experience principal views orientated north-west towards the project site include 119 Green Castle Road. Properties likely to experience secondary (rear) views orientated north-west towards the project site include 14, and 16, Sheskinshule View, and 1, 2, 3, 4, 5, and 6 Maryville.</p> <p>Other properties within the group are unlikely to experience direct views looking towards the project site but are likely to experience some oblique views subject to localised screening by vegetation within property grounds and filtered by intervening built form, hedgerows and treelines.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>Intervening landform north-west of this property group will screen the majority of project components throughout the construction phase and much of the operational phase. During the latter part of the operational phase some visual effects will be experienced as the DSF increases in vertical height and will remain visible above the skyline formed by the southern slopes of the broad ridge and Crockanboy Hill following the closure and restoration phase.</p> <p>Visibility of the DSF will vary in extent dependant on the orientation and foreshortening by localised screening. It is expected that higher levels of visibility of the DSF will be experienced from properties where principal and secondary views are orientated to the west and north-west and at the western, north-western edge of the property group. Views will also be further filtered by intervening field boundary vegetation, conifer treelines and small blocks of conifer plantation north of Crockanboy Road.</p> <p>Some visibility of indirect night time light glow from artificial lighting of project components is likely during the construction and operational phases, but will be seen in the context of other lighting associated with residential properties and farmsteads north-west of Greencastle.</p> <p>Given the likely limited visibility and small scale change in views from residential properties and based on the maximum case effect during the operational phase, overall the magnitude of change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
<p>Construction Phase</p>	<p>Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).</p>
<p>Operational Phase</p>	<p>Taking account of the barely perceptible magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be minor (not significant).</p>
<p>Closure and Restoration Phase</p>	<p>Following closure and restoration the overall visual effect from this property group will be negligible (not significant).</p>
<p>Potential Effects from Lighting</p>	<p>Light glow will be evident during the construction and operational phases but will be seen in the context of intervening lighting from the wider settlement and the local sports ground to the north of Greencastle, resulting in minor (not significant) visual effects.</p>

Table 9.15 Residential Property Group E

Residential Property Group E			
Representative Viewpoints	VP1. Farmsteads off Crockanboy Road; VP3. Crockanboy Road (B46)	Distance from nearest Project Components	Approx. 300m – 600m
Description of Properties and Existing Views	<p>This group consists of 14 properties comprising detached residences and farmsteads, located in very close proximity to the south and south-east of the site, and north of Crockanboy Road. The nearest property, 216 Crockanboy Road is located approximately 300m from the project site. Properties in this group are mainly orientated with principal views to the south-west.</p> <p>The majority of properties are orientated to afford views south across the Owenreagh Valley, and many properties also have gardens/curtilages which offer views northwards towards the broad ridge and Crockanboy Hill which form the elevated horizon in views across the project site.</p> <p>The project site, including the main site access road from Crockanboy Road, will feature in close proximity views to the north and north-east subject to screening by vegetation within property grounds and intervening field boundary hedgerows and tree lines. Properties predicted to have the highest level of visibility include 200, 204, 208, 212, 216, 216A, and 234 Crockanboy Road, and are likely to experience either direct to oblique secondary (rear) views. Conversely views from properties 240, 250, and 252 Crockanboy Road in the east of the group will be largely contained and foreshortened by intervening landform.</p>		
Magnitude of change (Nature of effect)	<p>Visibility of the project site and project components will vary from properties within the group. The properties noted above with the highest level of predicted visibility are likely to experience direct to oblique secondary (rear) views during the construction, operational and decommissioning phases. The main source of visual effect experienced from these properties is likely to be development of the DSF as it increases in horizontal size and vertical height throughout most of the operational phase, and during the subsequent closure and restoration phase seen in views looking to the north, and north-west above the skyline formed by the ridge. Visibility of other project components including the covered stockpile, process plant, water management ponds, WTP and ancillary components is expected from these properties during the earlier parts of the operational phase. Development of the DSF will increasingly screen project components during the operational phase, although the water management ponds and WTP is likely to remain visible partially screened by proposed mitigation planting.</p> <p>Taking account of screening by intervening foreground landform, visual effects experienced from other properties within the group is likely to be limited to activities associated with the DSF as it increases in vertical height in the latter part of the operational phase. The latter extent of the DSF is likely to be seen from these properties in secondary (rear) direct and oblique views above the skyline formed by the ridge.</p> <p>Construction activities associated with the introduction and subsequent removal of project components will be experienced during the construction and decommissioning phases. During these phases an increase in localised traffic will also be seen.</p> <p>Views will also be subject to localised screening, filtered by vegetation within property grounds and along field boundaries, including hedgerows and lines of coniferous trees.</p> <p>There are likely to be sequential views of the DSF and other project components available from Crockanboy Road and driveways experienced by receptors accessing these properties. Visibility from these routes will vary in extent with landform foreshortening visibility and roadside vegetation filtering and screening some views. The introduction of the project components will result in a large scale change to the view from several properties within this property group, although very rarely affecting the principal views.</p> <p>Taking account of the proximity and limited existing lighting on the ridge there is likely to be a perceived increase in night time light generated by project components during the construction and operational phases.</p> <p>Based on the maximum case effect during the operational phase, overall the magnitude of change is judged to be high.</p>		
Significance of visual effects during each Assessment Phase			

Residential Property Group E	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be moderate (significant).
Operational Phase	Taking account of the high magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be major (significant).
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be moderate (significant) as components area removed and the DSF is integrated into the surrounding landscape.
Potential Effects from Lighting	Light glow will be evident during the construction and operational phases extending the influence of artificial lighting across the otherwise unlit moorland of the broad ridge, resulting in moderate (significant) visual effects.

Table 9.16 Residential Property Group F

Residential Property Group F			
Representative Viewpoints	VP3. Crockanboy Road (B46)	Distance from nearest Project Components	Approx. 50m – 800m
Description of Properties and Existing Views	<p>This group consists of 17 detached residences and farmsteads south, south-east of the site and located on Crockanboy Road and Pollanroe Road at distances o. The nearest property, 276 Crockanboy Road is located adjacent to the main entrance to the project site on the south side of Crockanboy.</p> <p>The orientation of the properties and therefore their principal views varies, however, generally properties are orientated to afford views southwards across the Owenreagh Valley there are often views possible northwards towards the site from driveways, gardens and curtilages.</p> <p>The project site will be visible in views to the north and north-east. Some views will be partially contained by undulating foreground landform and screened by intervening built form and vegetation. Properties predicted to experience the highest levels of visibility orientated with principal views to the north-east include 207, 225 and 235 Crockanboy Road, with potential for direct to oblique views of the project site partially screened by intervening vegetation.</p> <p>Views from properties with lower predicted visibility including 197, 217, and 255 Crockanboy Road will be partially contained by foreground landform.</p>		
Magnitude of change (Nature of effect)	<p>The properties noted above with the highest level of predicted visibility are likely to experience direct to oblique views during the construction, operational and closure/restoration phases. Construction and operation of the main site access road situated on Crockanboy Road will form a key feature in views when accessing properties, and in views from the property of 276 Crockanboy Road. As the DSF increases in vertical height and horizontal extent this feature will become the main source of visual effect, visible through most of the operational phase and will remain visible above the skyline formed by the broad ridge of Mullydoo, Crocknamoghil and Crockanboy Hill in views to the north and north-east. Other project components of the process plant will be visible during the early part of the operational phase, although development of the DSF will increasingly screen views during the latter part of the operational phase.</p> <p>Other properties within the group are likely to experience visual effects associated with the DSF as it develops and increases in vertical size in the latter part of the operational phase, seen where views to the north and north-east are available above the skyline formed by the broad ridge.</p> <p>Construction and decommissioning activities associated with the introduction and subsequent removal of project components, and an increase in localised traffic are likely to be experienced from some properties situated close to Crockanboy Road with high levels of predicted visibility.</p> <p>Views from some properties will also be subject to localised screening, filtered by vegetation within property grounds and by intervening hedgerows and treelines.</p>		

Residential Property Group F	
	<p>Taking account of proximity to the project site and limited existing lighting on the ridge there is likely to be a perceived increase in night time light generated by project components during the construction and operational phases.</p> <p>Based on the maximum case effect during the operational phase, overall the magnitude of change is judged to be high.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be moderate (significant).
Operational Phase	Taking account of the high magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be major (significant).
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be moderate (significant) as components area removed and the DSF is integrated into the surrounding landscape.
Potential Effects from Lighting	Light glow will be evident during the construction and operational phases extending the influence of artificial lighting across the otherwise unlit moorland of the ridge, resulting in moderate (significant) visual effects.

Table 9.17 Residential Property Group G

Residential Property Group G			
Representative Viewpoints	n/a	Distance from nearest Project Components	Approx. 1.5km – 1.8km
Description of Properties and Existing Views	<p>This group consists seven detached residences and farmsteads on Cashel Road, south of the project site and south-east of Cashel Bridge. The closest properties, 46, 50 and 56 Cashel Road are situated approximately 1.5m from the project site.</p> <p>The orientation of properties vary, however principal views are generally orientated north and north-west across and along the Owenreagh Valley, with the nearest properties affording open views towards the project site although often partially screened intervening landform and broadleaf tree lines along field boundaries. Other properties in this group are considered unlikely to experience direct views of the project site taking account of varying orientation, although oblique views are considered likely.</p> <p>Contrastingly views from 50 and 56 Cashel Road will be partially contained by undulating foreground landform and filtered by vegetation within property curtilage and by intervening hedgerows and treelines delineating field boundaries.</p> <p>An existing quarry is also situated to the west of the property group but lies largely out of view at a lower elevation within the valley.</p>		
Magnitude of change (Nature of effect)	<p>The main source of visual effect with the highest levels of predicted visibility will be the DSF as it increases in horizontal size and vertical height throughout the operational phase, and during the subsequent closure and restoration phase. This new landform feature seen in views looking to the north-east above the skyline formed by the ridge. Visibility of other project components is expected from these properties during the earlier parts of the operational phase, although development of the DSF will increasingly screen project components during the operational phase. Proposed mitigation tree planting will also filter views of project components during the operational phase.</p> <p>Visual effects experienced from the closest properties at 50 and 56 Cashel Road are likely to be limited to the development of the DSF in the latter stages of development as it increases in vertical height, with the majority of project components be screened by intervening undulating landform.</p> <p>Construction and decommissioning activities associated with the introduction and subsequent removal of project components, and an increase in localised traffic are likely</p>		

Residential Property Group G	
	<p>to be perceptible from some properties with a high level of predicted visibility including 39, 41, 41A, and 46 Cashel Road.</p> <p>Sequential views of the DSF are likely to be experienced from Cashel Road when accessing properties, with potential screening by roadside and field boundary vegetation filtering some views.</p> <p>Light glow from night time lighting of project components will be possible during the construction and operational phases, although this will be seen in the context of lighting from other residential properties and the settlement of Greencastle.</p> <p>Given the largely oblique nature of views and the small scale change in views which will be evident from these properties overall the magnitude of change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be minor (not significant).
Operational Phase	Taking account of the low magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be minor (not significant).
Closure and Restoration Phase	Following closure and restoration once the DSF is integrated into the surrounding landscape the overall visual effect from this property group will be negligible (not significant).
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases seen across and east along the Owenreagh River Valley but in the context of existing lighting of residential properties within the valley, resulting in minor (not significant) visual effects.

Table 9.18 Residential Property Group H

Residential Property Group H			
Representative Viewpoints	VP4. Aghaboy Road – South of site	Distance from nearest Project Components	Approx. 1.5km – 2km
Description of Properties and Existing Views	<p>This group consists of 24 individual detached residences and farmsteads accessed from Aghaboy Road and Aughnamirigan Road between Campbell's Bridge in the west and Cashel Bridge in the east at a distance of between 1.5km and 2km south-west of the site. The nearest property, 60 Aghaboy Road is located approximately 1.5km south, south-west from the project site.</p> <p>Aghaboy Road contours across the north facing slopes of the valley, with properties located to the north and south, of the road, often occupying elevated positions with open views. The orientation and principal views of properties within this group vary, however the majority of properties afford views orientated north, north-east across the Owenreagh Valley, and as such are likely to experience direct to oblique views towards the project site.</p> <p>Properties located along Aughnamirigan Road and Fallagh Road within the group will experience direct views of the project site, often with more oblique views towards the project site, and often screened or filtered by the presence of nearby agricultural buildings and/or vegetative screening provided by intervening woodland/coniferous shelterbelts. Where visible the project site will be seen in views to the north-east with potential screening by localised built form and vegetation. An existing quarry is also situated to the east of the Aghaboy Road, and is visible in the foreground of views from some properties at the eastern extent of the group.</p>		
Magnitude of change (Nature of effect)	<p>The properties within this group with the highest level of predicted visibility are located along Aghaboy Road directly south of the site with open views across the Owenreagh Valley. Approximately a dozen properties will experience direct to slightly oblique principal views, in some instances partially screened by foreground vegetation within the properties curtilage, during the construction, operation and decommissioning phases. The main source of visual effect experienced from the properties will be the development of</p>		

Residential Property Group H	
	<p>the DSF as it increases in horizontal extent and vertical height throughout the operational phase, and during the subsequent closure and restoration phase where it will be seen in views to the north, north-east as a large scale feature, affecting a relatively large proportion of the available and eventually extending above the existing skylined ridge formed by the Mullydoo and Crocknamoghil, west of Crockanboy Hill.</p> <p>Visibility of other project components including the process plant, water management ponds and ancillary components is expected from these properties during the earlier stages of the operational phase, however development of the DSF will increasingly screen project components during the operational phase, although the WTP and ponds will be discernible through much of the operational phase partially screened by mitigation planting.</p> <p>Other properties within the group are likely to experience more oblique views subject to localised screening by built form and vegetation within property grounds.</p> <p>Views of the project site will be available from Aghaboy Road and Aughnamirigan Road when accessing properties within this group, however visibility will vary in extent due to the presence of roadside and field boundary vegetation which filter and screen some views.</p> <p>Visibility of night time lighting generated by project components during the construction and operational phases will be evident across the valley to the north, extending the influence of artificial lighting across the slopes of the ridge which are currently uninhabited. It is noted however that additional lighting will be seen in the context of existing lighting at residential properties within the valley to the north and the settlement of Greencastle to the north-east.</p> <p>Given the potential for direct principal views from properties located directly south of the site on Aghaboy Road, and based on the maximum case effect during the operational phase, overall the magnitude of change is judged to be medium.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be moderate (significant).
Operational Phase	Taking account of the medium magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be moderate (significant).
Closure and Restoration Phase	Following closure and restoration once the DSF is integrated into the surrounding landscape the overall visual effect from this property group will be minor (not significant).
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases seen across the Owenreagh River Valley and extending in influence of artificial lighting across the open moorland slopes of the broad ridge within the valley, resulting in moderate (significant) visual effects.

Table 9.19 Residential Property Group I

Residential Property Group I			
Representative Viewpoints	n/a	Distance from nearest Project Components	Approx. 1.5km – 3km
Description of Properties and Existing Views	<p>This group consists of 14 detached residential properties and farmsteads, located south of the Owenreagh River mainly accessed by Fallagh Road and Lenagh Road, at a distance of over 1.8km to the west, south-west of the site. The closest property 23 Aughnamirigan Road is located approximately 1.5km from the project site with principal views north-east across the valley, however the property is situated in the foot of the Owenreagh Valley from where the project site is largely screened by intervening landform to the north-east.</p> <p>Properties orientated with principal views to the west including 92 and 94 Lenagh Road, and properties orientated to the north-west including 36, 38, 46, and 50 Fallagh Road,</p>		

Residential Property Group I	
	<p>are likely to experience direct to slightly oblique views of the project site partially contained by landform and filtered by intervening vegetation.</p> <p>It is considered unlikely that other properties within the group will experience direct or open views of the project site, although oblique views partially contained by landform and filtered by intervening vegetation are likely to be possible from the curtilages and minor road network when accessing these properties.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>The main source of visual effect will be visibility of the DSF as it increases in vertical height in the latter part of the operational phase, and during the subsequent closure and restoration phase, and will remain visible above the skyline formed by the ridge seen in views looking to the north-east.</p> <p>The closest properties, including 23 Aughnamirigan Road will experienced very limited visibility of the project site due to intervening landform and screening provided by vegetation on the northern slopes of the valley. Properties at higher elevation including 86 and 94 Lenagh road are likely to experience oblique views of the project site, partially obscured by landform and filtered by intervening vegetation resulting in a small scale change in the view, reducing in scale for the most westerly properties</p> <p>There are likely to be sequential views of the DSF available from Fallagh Road travelling east, and from Lenagh Road when travelling north. Visibility from these routes will vary in extent with intervening vegetation filtering and screening some views.</p> <p>Intervening landform will largely screen views of artificial lighting of the project site although visibility of light glow from the site is likely possible during the construction and operational phases, but will be seen in the context of other lighting associated with residential properties and farmsteads to the north-east.</p> <p>Considering the limited nature of views, and the distance of residential properties with views of the project site the overall magnitude of visual change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).
Operational Phase	Taking account of the low magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be minor (not significant).
Closure and Restoration Phase	Following closure and restoration once the DSF is integrated into the surrounding landscape the overall visual effect from this property group will be negligible (not significant).
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases seen across and east along the Owenreagh River Valley but in the context of existing lighting of residential properties within the valley, resulting in minor (not significant) visual effects.

Table 9.20 Residential Property Group J

Residential Property Group J			
Representative Viewpoints	VP5. Greencastle Road	Distance from nearest Project Components	Approx. 1.9km – 2.9km
Description of Properties and Existing Views	<p>This property group consists of 21 detached residences and farmsteads on Cashel Road and Greencastle Road, south-west of the site. The nearest property of 83 Greencastle Road is situated approximately 1.9km from the project site.</p> <p>The orientation of properties and therefore their principal views vary, although properties to the north of the group and situated along Greencastle Road are generally orientated to afford views north, north-east across the Owenreagh Valley. One property, 10 Cashel Road, orientated with secondary (rear views) to the north-east is likely experience direct to oblique views looking towards the project site filtered by intervening vegetation within the properties grounds. It is considered unlikely that other properties in the group will experience direct views of the project site, although oblique views subject to localised</p>		

Residential Property Group J	
	<p>screening by built form and vegetation are considered likely. Properties situated along Cashel Road at the southern extent of the group are generally orientated to afford views southwards, with views north towards the project site largely screened by intervening landform and/or vegetative screening.</p> <p>An existing quarry/mineral extraction site is located to the east and north-east of the most northerly properties in this group and is a visible feature in the foreground of views from some properties.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>The main source of visual effect experienced from properties in this group is likely to be visibility of the DSF throughout most of the operational phase, and during the subsequent closure and restoration phase seen in views looking to the north-west largely below the skyline formed by the broad ridge of Mullydoo, Crocknamoghil and Crockanboy. Visibility of other project components is expected during the earlier parts of the operational phase. Development of the DSF will increasingly screen project components during the operational phase, although the water management ponds and WTP are likely to remain visible, although partially screened by proposed native broadleaf tree mitigation planting.</p> <p>Visibility of the DSF and project components will vary in extent dependant on orientation and foreshortening by localised screening.</p> <p>Effects associated with construction activities, the introduction and subsequent removal of project components, and an increase in localised traffic are also likely to be experienced during the construction and decommissioning phases.</p> <p>There are likely to be sequential views of the DSF available from Cashel Road and Greencastle Road and from driveways experienced by receptors accessing these properties. Visibility from these routes will vary in extent with roadside vegetation filtering and screening some views.</p> <p>Overall the magnitude of change, based on the maximum case effect during the operational phase is judged to be medium.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be minor (not significant).
Operational Phase	Taking account of the low magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be moderate (not significant).
Closure and Restoration Phase	Following closure and restoration once the DSF is integrated into the surrounding landscape the overall visual effect from this property group will be minor (not significant).
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases seen the Owenreagh River Valley to the north but in the context of existing lighting of residential properties within the valley and the settlement of Greencastle, resulting in minor (not significant) visual effects.

Table 9.21 Residential Property Group K

Residential Property Group K			
Representative Viewpoints	VP.8. Barony Road	Distance from nearest Project Components	Approx. 3.2km – 4.2km
Description of Properties and Existing Views	<p>Property Group K is located near Brackagh South at distances of over 3km south of the site. The group consists of 12 well-spaced detached residences and farmsteads mainly accessed from Barony Road. The nearest property, 116 Barony Road is situated approximately 3.9km from the project site.</p> <p>Properties 100, 114, 114A, and 110 Barony Road with either principal or secondary (rear) views orientated north, north-east and 116 Barony Road with views orientated north-west are likely to experience direct to oblique views of the project site in the north, partially screened by vegetation within property grounds. Other properties within the</p>		

Residential Property Group K	
	<p>group are unlikely to experience principal views of the project site but oblique views potentially screened by localised built form and vegetation are considered likely.</p> <p>An existing quarry south of Cashel Bridge is likely be out of view at low elevation in views to the north.</p>
<p>Magnitude of change (Nature of effect)</p>	<p>Properties in this group are likely to experience visual effects associated with the development of the DSF as it increases in vertical height and horizontal extent thought much of the operational phase, and will remain visible above the skyline during the subsequent closure phase, seen in relatively long distance views to the north. Visibility of other project components during the operational stage is considered likely although these will become increasingly screened during the development of the DSF and proposed mitigation planting will also filter views.</p> <p>Construction activities associated with the introduction and subsequent removal of project components are likely to be perceptible during the construction and decommissioning phases.</p> <p>There are likely to be sequential views of the DSF available from Barony Road and driveways experienced by receptors accessing these properties. Views from these routes will be subject to screening by intervening vegetation which will vary the extent of visibility.</p> <p>There is likely to be a perceived increase in night time light generated by project components during the construction and operational phases, visible in views across the Owenreagh valley to the north.</p> <p>Overall the magnitude of visual change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).
Operational Phase	Taking account of the low magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be minor (not significant).
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).
Potential Effects from Lighting	Light glow will be evident during the construction and operational phases seen across the Owenreagh Valley but in the context of other nearby lighting sources including residential properties and the settlement of Greencastle, resulting in minor (not significant) visual effects.

Table 9.22 Residential Property Group L

Residential Property Group L		
Representative Viewpoints	n/a	Distance from nearest Project Components Approx. 3.3km – 4.5km
Description of Properties and Existing Views	<p>This group consists of 11 detached residences and farmstead mainly located on Inisclan Road near Cornagillach Bridge, at a distance of over 4.1km to the south-west of the site. The nearest property 36 Greencastle Road is located approximately 3.3km from the project site.</p> <p>Properties with high levels of predicted visibility, namely 70 Inisclan Road and 32 Greencastle Road, are orientated with principal views to the north-east with potential for direct to oblique views of the project site. However, views will be largely screened by mature vegetation within property grounds and by a block of coniferous woodland located between Aghaboy Road and Greencastle Road. Taking account of the varying orientation of other properties within the group direct views from other properties looking north-east towards the project site are considered unlikely, although oblique views subject to</p>	

Residential Property Group L	
	localised screening are considered likely.
Magnitude of change (Nature of effect)	<p>The main source of visual effect experienced from properties in this group, is likely to be visibility of the DSF throughout most of the operational phase, and during the subsequent closure and restoration phase seen in views looking to the north-east largely below the skyline formed by the ridge. Visibility of other project components is expected during the earlier parts of the operational phase. Most project components will become increasingly screened during the development of the DSF as it increases in vertical height and horizontal extent. Proposed mitigation planting will also partially screen some project components</p> <p>Potential direct views are likely to be fully screened by vegetation, oblique views will also largely be filtered by vegetation within property grounds.</p> <p>There are likely to be sequential views of the DSF available from Inisclan Road when traveling north-east and from driveways experienced by receptors accessing these properties, however visibility will vary in extent with roadside vegetation and intervening blocks of coniferous woodland which filter and screen some views.</p> <p>Given the orientation of buildings with limited direct views and the screening effects of vegetation the overall magnitude of change is judged to be barely perceptible.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).
Operational Phase	Taking account of the barely perceptible magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be negligible (not significant).
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).
Potential Effects from Lighting	Some limited light glow will be evident during the construction and operational phases seen across the Owenreagh River Valley, but in the context of nearby lighting sources around the settlement of Greencastle, and resulting in negligible (not significant) visual effects.

Table 9.23 Residential Property Group M

Residential Property Group M			
Representative Viewpoints	VP7. Aghaboy Road – South-west of site	Distance from nearest Project Components	Approx. 2.9km – 3.2km
Description of Properties and Existing Views	<p>This group consists of 22 detached residences and farmsteads on Aghaboy Road and Fallagh Road at a distance of over 2.8km, south-east of the project site which generally afford views north, north-east across the Owenreagh Valley. The nearest property to the project site, 34 Fallagh Road is located approximately 2.9km to the south-east located at a lower elevation than the site on the lower slopes of the valley.</p> <p>A number of properties have potential for direct to slightly oblique principal views of the project site north-east across the Owenreagh Valley, including 11 and 27 Fallagh Road and a number of properties on Aghaboy Road. Views towards the project site are likely to be partially screened by built form and filtered by vegetation within property curtilages.</p>		
Magnitude of change (Nature of effect)	<p>The main source of visual effect will be visibility of the DSF throughout the operational phase, and during the subsequent closure and restoration phase seen views across the valley to the north-east, with components largely below the skyline until the latter stages of the operational phase when the DSF extend above the existing skyline formed by the broad ridge of Mullydoo, Crocknamoghil and Crockanboy Hill. Visibility of other project components is likely during the earlier parts of the operational phase although as the DSF increases in size the process plant and other ancillary components will become screened.</p>		

Residential Property Group M	
	<p>Some screening of project components will also be provided by proposed mitigation planting around the southern periphery of the site.</p> <p>Visibility of the DSF will vary in extent dependant on orientation of properties and foreshortening by localised screening located in property grounds and along field boundaries, including hedgerows and coniferous tree lines and lines of coniferous trees.</p> <p>There are likely to be sequential views of the DSF available from Fallagh Road, Aghaboy Road, and private driveways experienced by receptors accessing these properties, however visibility will vary in extent with roadside vegetation filtering and screening some views.</p> <p>There will be an increase in night time light glow generated by project components during the construction and operational phases, however this will be seen in the context of lighting associate with the settlement of Greencastle and residential properties located within the Owenreagh Valley south of the site.</p> <p>Overall the magnitude of change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be minor (not significant).
Operational Phase	Taking account of the low magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be minor (not significant).
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases seen across the Owenreagh River Valley but in the context of nearby lighting sources around the settlement of Greencastle, resulting in minor (not significant) visual effects.

Table 9.24 Residential Property Group N

Residential Property Group N			
Representative Viewpoints	n/a	Distance from nearest Project Components	Approx. 3.3km – 3.9km
Description of Properties and Existing Views	<p>This group consists of eight detached residences and farmsteads over 4.3km to the south-west of the site, north of Lenagh Bridge. The nearest property 78 Lenagh Road is situated approximately 3.3km from the proposed infrastructure site.</p> <p>The orientation of properties and therefore their principal views vary. The project site is likely to be visible in views to the north-east across the Owenreagh Valley partially screened by vegetation within property grounds and by intervening riparian woodland. Properties 53 and 55 Lenagh Road are likely to experience principal views orientated north-east towards the project site. Although high levels of visibility are indicated from other properties in the group it is considered unlikely that direct views will be experienced, although oblique views are considered likely, and views from property curtilages/grounds and when approaching the properties via the minor road network will be possible.</p>		
Magnitude of change (Nature of effect)	<p>The main source of visual effects will be visibility of the DSF throughout most of the operational phase as it increases in size, and during the subsequent closure and restoration phase, seen as a new large landform structure in views looking to the north-east. Visibility of other project components is expected during the earlier parts of the operational phase although development of the DSF, as it increases in vertical height and horizontal extent, will increasingly screen other project components during the operational phase. The most southerly project components will also be partially screened by proposed mitigation planting around the periphery of the site.</p>		

Residential Property Group N	
	<p>Project components are likely to be less perceptible from 55 Lenagh Road situated at a lower elevation with foreground landform partially containing views. Views will also be filtered by vegetation within property grounds and by woodland across the banks of Glensawick Burn.</p> <p>There are likely to be sequential views of the DSF experienced when travelling north on Lenagh Road to access some of these properties, however visibility will vary in extent with roadside vegetation filtering and screening some views.</p> <p>There is likely to be a perceived increase in night time lighting generated by project components during the construction and operational phases, although seen within the context of other lighting associated with residential properties and farmsteads.</p> <p>Overall the magnitude of change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Overall the visual effect during the construction phase of the project is considered to be negligible (not significant).
Operational Phase	Taking account of the low magnitude of change, overall the visual effect during the operational phase of the project from properties in this group is considered to be minor (not significant).
Closure and Restoration Phase	Following closure and restoration the overall visual effect from this property group will be negligible (not significant).
Potential Effects from Lighting	Lighting glow will be evident during the construction and operational phases seen across the Owenreagh River Valley but in the context of nearby lighting sources around the settlement of Greencastle, resulting in minor (not significant) visual effects.

Effects on views from Routes

9.10 The routes in the study area with potential visibility of the proposed project are assessed below.

Roads

Table 9.25 B46 – Crockanboy Road

B46 – Crockanboy Road			
Representative Viewpoints	VP3. Crockanboy Road (B46)	Distance from nearest Project Components	Adjacent to main site entrance.
Description of Route and Existing View	<p>Crockanboy Road (B46) runs between Creggan in the south-east, Gortin in the north-west to the south of the project site.</p> <p>Travelling north-west to Gortin the road passes a large block of conifer forest north of Creggan, then runs north to north-west through undulating farmland to Greencastle offering occasional glimpsed panoramic views often filtered by roadside vegetation. Continuing west to Gortin the lower slopes of Mullydoo, Crocknamoghil and Crockanboy Hill, which form the broad ridge, largely contain views to the north towards the Sperrin Mountains, with receptors' (people) attention often focused on views along the Owenreagh Valley. Passing Rouskey, views become largely contained by the rising landform of Mullaghcarn and the Gortin Forest Park to the south, south-west with views to the north filtered by hedgerows and tree lines.</p>		
Sensitivity (Nature of receptor)	<p>Transient road users are considered to be of medium susceptibility. Whilst it is recognised that a section of this route (between Creggan and Greencastle) forms part of the Central Sperrins Scenic Route and some road users are likely to place value on views of the surrounding landscape, on balance due to the transient nature of views the sensitivity is judged to be medium.</p>		
Magnitude of change	<p>The main site access is located on Crockanboy Road (west of Pollanroe Bridge) and will be evident to receptors travelling in both directions along this section of the road. Sequential views within 5km are predicted along sections of the road, as indicated by the</p>		

B46 – Crockanboy Road	
(Nature of effect)	<p>ZTV, localised to a section of road west of Pollanroe Bridge and east of Altateel Bridge (approximate length 1.4km). This section of road provides close proximity although largely perpendicular views towards the project site. Roadside vegetation, and Intervening hedgerows and treelines in the middle distance will provide some further screening and filtering of views. Where visible, project components will be seen in transient views, and forming a small element in glimpsed transient views.</p> <p>Within approximately 5km travelling north from Creggan direct to perpendicular views towards the project area are predicted between Creggan Visitor Centre and east of Greencastle (approximate length 3.5km).</p> <p>There is likely to be some perceived increase in night time lighting during the construction and operational phases largely seen in the context of other lighting associated with residential properties, farmsteads and the settlement of Greencastle.</p> <p>The overall magnitude of change is judged to be low for the route as a whole, and medium for the short section of the route directly south of the project site.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Construction activities will be evident from this road, including the construction of the main site access point and road to the proposed infrastructure site, resulting in moderate (significant) sequential visual effects for a short section (approximately 1.4km long) of the route south of the site. Beyond this no significant sequential visual effects are predicted.
Operational Phase	During the operational phase the DSF will become a more discernible feature in views north from the short section of the road closest to the site, however the main site entrance and access road will continue to be the most evident element of the project to most receptors resulting in moderate (significant) sequential visual effects for a short section (approximately 1.4km long) of the route south of the site. Beyond this no significant sequential visual effects are predicted.
Closure and Restoration Phase	Following closure and restoration the main site access point and road will be removed and the roadside hedgerows and vegetation reinstated. The form of the DSF will remain evident to the north, however this feature will be less discernible. Overall, minor (not significant) sequential visual effects will occur for a short section of the route to the south of the site, and no significant sequential visual effects are predicted.
Potential Effects from Lighting	Lighting of the main site entrance and access road will result in moderate (significant) effects for a short section of this route during construction and operation. Beyond this no significant sequential visual effects are predicted.
Potential for Future Cumulative Effects	<p>Although visibility of other developments is predicted to occur from some short sections of this road where it passes in close proximity to other developments located within 5km of the Curraghinalt Project, significant visual effects on views are likely to be limited to those arising from the introduction of the Cregganconroe and Crockdun wind farms from a short section of the route to the south-east of the project site, where views of turbines will be possible to the east (Cregganconroe) and west (Crockdun) of the route. Other individual developments visible from this route are unlikely to give rise to significant visual effects.</p> <p>Significant sequential visual effects arising from the introduction of the Curraghinalt Project are predicted from a very short section of this route directly south of the project site, however, when considered in conjunction with the above mentioned developments <i>additional or total/combined</i> cumulative visual effects on views from this route will be negligible (not significant).</p>

Table 9.26 A505 – Barony Road

A505 – Barony Road			
Representative Viewpoints	VP8. Barony Road (A505)	Distance from nearest Project Components	4.7km

A505 – Barony Road	
Description of Route and Existing View	<p>The A505 – Barony Road is the main route between Cookstown in the east and Omagh in the west, and within the study area runs between the intersection with Crancussy Road in the east and the intersection with Killins Road in the west.</p> <p>Travelling from Creggan in the east to Mountfield in the west the road passes through a relatively low lying area of farmland comprising rough grazing and moorland. Between Creggan and Leaghan Road views are largely filtered by immediate roadside hedgerows, tree lines, and deciduous shelterbelts, coniferous forest blocks and vegetation in the middle distance. The section of road between Leaghan Road in the east and Greencastle Road in west is relatively exposed, offering open views of the surrounding landscape, including long distance views northwards towards the Sperrin Mountains.</p>
Sensitivity (Nature of receptor)	Road users on fast moving A roads are considered to be of medium susceptibility. While it is recognised that parts of this road form a section of the Central Sperrins Scenic Route, and some road users are likely to place value on views of the surrounding landscape, on balance the value of the view is judged to be medium. Overall sensitivity is therefore judged to be medium.
Magnitude of change (Nature of effect)	<p>Sequential views are predicted along this route within 5km of the proposed project and at over 5km distance. Within 5km, theoretical visibility is indicated between the water bodies of Loughnatorboge in the east and Loughnamaddy in the west. This section of road also forms part of the Central Sperrins Scenic Route.</p> <p>At over 5km, theoretical visibility is indicated between east of Sultan Road and west of Creggan Post Office. Further visibility, at over 5km, is indicated between the waterbody of Lochnamaddy and north of the settlement of Mountfield.</p> <p>Views towards the project site will be largely perpendicular to the direction of travel, with some opportunity for brief direct views when travelling north-east out of Mountfield.</p> <p>Between Leaghan Road and the northern outskirts of Mountfield views will be largely open on the exposed section of road. Other views will be filtered by intervening features, including roadside vegetation, tree lines, and woodland in the middle distance. Predicted views west of Creggan will be predominantly screened by a large block of coniferous forest (between Crockanboy Road and Barony Road). Where visible, project components will be largely seen below the horizon formed by the low hill range of Mullydoo, Crocknamoghil and Crockanboy Hill. The distant skyline defined by the Sperrin Mountains will remain unaffected by the project.</p> <p>Visibility of artificial lighting will be possible during the construction and operational phases, but will be seen in the context of other lighting associated with residential properties and farmsteads within the Owenreagh Valley and the settlement of Greencastle.</p> <p>Taking account of the largely oblique nature of view and distance from the project site the magnitude of change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Some construction activities will be evident from a short section of this road as it crosses higher ground north of The Murrins, resulting in a negligible (not significant) sequential visual effects.
Operational Phase	Minor (not significant) sequential visual effects are predicted during the operational phase of the project as the DSF increases in size and because a more discernible feature in views to the north, albeit appearing below the skyline defined by the Sperrin Mountains in the distance.
Closure and Restoration Phase	Following closure and restoration the perceptibility of the DSF will reduce as it revegetates and becomes integrated more closely into the surrounding landscape, resulting in negligible (not significant) sequential visual effects.
Potential Effects from Lighting	Overall the effects from lighting from this route will be seen for a short duration at an oblique angle of view, and will be minor (not significant) during the operational phase, reducing to negligible (not significant) following closure and restoration once any artificial lighting has been removed.
Potential for Future	A number of wind farm developments including Crockdun, Cregganconroe and the Barony Road Wind Energy Project, will be visible from the A505, and will represent prominent

A505 – Barony Road	
Cumulative Effects	<p>and unavoidable features in views south when travelling east and west along this road. In contrast the Curraghinalt Project will form a relatively minor feature in longer distance views to the north.</p> <p>When considered in conjunction with the above mentioned developments additional or total/combined cumulative visual effects on views from this route will be negligible (not significant).</p>

Table 9.27 Minor roads within 5km of site

Minor roads within 5km of site			
Representative Viewpoints	VP1. Farmsteads off Crockanboy Road; VP2. Mullydoo Road VP4. Aghaboy Road – South of site VP5. Greencastle Road VP7. Aghaboy Road – South-west of site	Distance from nearest Project Components	0.1km
Description of Route and Existing View	<p>A number of minor roads cross the study area to the south of the ridge, and crossing the southern slopes of the Owenreagh Valley and the elevated plateau above to the south. These include Mullydoo Road, Crockanboy Road Lenagh Road, Fallagh Road, Aughnamirigan Road, Greencastle Road, Pollanroe Road and Cashel Road, as well as a number of other unnamed/unclassified roads.</p> <p>Views from these narrow roads are often intermittent, contained by roadside verges and hedgerows, and further screened and filtered by roadside and field boundary trees, and blocks of coniferous and deciduous woodland. Direct views towards the project site are generally quite limited, and where open views exist the landscape of the Owenreagh Valley can often be appreciated, with more distant expansive views to the wider landscape of the Sperrins AONB are possible.</p>		
Sensitivity (Nature of receptor)	<p>Notwithstanding that many of the receptors using this network of minor roads will be residential receptors travelling to and from their homes, transient receptors are judged to be of medium susceptibility to changes in views from these roads. It is recognised that the value of the view from local roads will be recognised by some road users and is therefore judged to be medium. Taking this into account the overall sensitivity is judged to be medium.</p>		
Magnitude of change (Nature of effect)	<p>The ZTV indicates that a network of minor roads within approximately 5km of the project site will experience visibility of the project, with roads located within approximately 3km likely to experience large scale changes in the available view, albeit that sequential views experienced as people travel through the landscape will be intermittent, often limited by roadside screening by steep verges and steep verges.</p> <p>There are likely to be sequential views of the DSF available from Crockanboy Road, experienced by receptors accessing residential properties. Similar sequential views will be experienced along Mullydoo Road travelling north, travelling west along Black Bog Road, and travelling east and north along Leaghan Road. Visibility from these routes will vary in extent with roadside vegetation filtering and screening some views.</p>		
Significance of visual effects during each Assessment Phase			
Construction Phase	<p>Some construction activities will be evident from a short section of this road as it crosses higher ground north of The Murrins, resulting in a moderate (significant) sequential visual effects, when experienced from roads in close proximity (as represented by VPs 1 and 2). Beyond approximately 3km, significant visual effects from the minor road network are considered unlikely.</p>		
Operational Phase	<p>Moderate (significant) sequential visual effects from the minor road network will occur as the DSF increases in size and becomes a more discernible feature in the landscape. Beyond approximately 3km, significant visual effects from the minor road network are considered unlikely.</p>		

Minor roads within 5km of site	
Closure and Restoration Phase	Following restoration and closure perceptibility of the DSF will reduce as it is revegetated and integrated into the surrounding landscape. Sequential visual effects will reduce to minor (not significant) when experienced from the minor road network within approximately 3km.
Potential Effects from Lighting	During construction and operation moderate (significant) sequential visual effects are likely to occur from the presence of additional artificial lighting of the project site and vehicle movements across the site, which will extend the influence of artificial lighting northwards within the Owenreagh Valley.
Potential for Future Cumulative Effects	<p>No other large scale developments are proposed within 5km of the project site which are likely to result in significant visual effects from the minor road network. However, the presence of the proposed Barony Road Wind Energy Project at c.5.3km from the project site will likely result in intervisibility of turbines and the Curraghinalt Project in successive views from the minor road network.</p> <p>Significant sequential visual effects arising from the introduction of the Curraghinalt Project are predicted from the minor road network south of the project site, however, intervisibility of the proposed turbines of the Barony Road Wind Energy Project will rarely be seen in combined views or in views when the Curraghinalt Project is a discernible feature in views from the minor road network. When considered in conjunction with the above mentioned development <i>additional</i> or <i>total/combined</i> cumulative visual effects on views from the minor road network within 5km of the project site will be negligible (not significant).</p>

Scenic Driving Routes

Table 9.28 Central Sperrins Scenic Driving Route

Central Sperrins Scenic Driving Route		
Representative Viewpoints	VP8. Barony Road (A505)	Distance from nearest Project Components
Description of Route and Existing View	<p>Within the 15km study area the route follows the B46 east out of Newtownstewart to Gortin, then crosses the Owenkillew River north on the B46 then east on Gorticashel Road. East of Golan Bridge the route diverts south crossing the Owenkillew River on Drumlee Road, crossing the Owenreagh River on Crockanboy Road then runs south-east on Lenagh Road, then south to Mountfield. The route follows a short but open section of the A505 north of The Murrins before heading south towards Carrickmore, and then back north along the B46 to Greencastle, and then returns to Gorticashel Road along the Owenkillew River at Glenhull. At Scotch Town it heads north to the Glenelly River valley, heading east to cross the river at Mount Hamilton, then back west along the B47 to Plumbridge.</p> <p>This section of the route passes through varied landscapes of settled undulating farmland and open exposed moorland. Views experienced from farmland areas are often directed and contained by landform, and screened or filtered by roadside vegetation and built form. When passing through moorland areas more open, sometimes panoramic, views of the surrounding landscape are possible.</p>	
Sensitivity (Nature of receptor)	Road users (receptors) on this route are generally judged to be more focused on the surrounding landscape and are considered to be of medium susceptibility. As a scenic driving route the value of the view is considered to be high. Overall, sensitivity is therefore judged to be high.	
Magnitude of change (Nature of effect)	<p>Visibility of the project, as indicated by the ZTV, is limited to sections of this route within approximately 7km of the site to the south-west through to south-east.</p> <p>Visibility of project components at a distance of over 3km will be possible when travelling north on Lenagh Road between the sand and gravel pit north of Mountfield and the crossroads at Lenagh Road, and from Glenmacoffer Road in slightly oblique views for a distance of approximately 4km. Potential views, occasionally screened by intervening vegetation, will be experienced when travelling north-east on Inisclan Road, at a distance of over 4km between the quarry north-east of Mountfield and where the route diverts south-west on Greencastle Road (approximate length 2.8km).</p>	

Central Sperrins Scenic Driving Route	
	<p>Slightly oblique views of the project, regularly filtered by roadside vegetation, will be possible when travelling north-east on Greencastle Road (approximate length 1.7km) at a distance of over 4.2km.</p> <p>The majority of project components will feature in largely perpendicular views to the road, with some opportunity for brief direct views when travelling north-east out of Mountfield on the A505 between Greencastle Road and Coolaharan Road (approximate length 3.5km). Predominantly oblique, with some brief direct views, of the DSF in the latter part of the operational phase experienced from Crockanboy Road when travelling north-west between Creggan and Greencastle (approximate length 4.6km) at a distance of over 2.8km.</p> <p>The majority of this long distance driving route will be unaffected by visibility of the proposed project. Taking account of intervening screening, the limited opportunity for direct views and the distance from the project site, the overall magnitude of change is judged to be low.</p>
Significance of visual effects during each Assessment Phase	
Construction Phase	Some construction activities will be evident from this route, resulting in a minor (not significant) sequential visual effects.
Operational Phase	Minor (not significant) sequential visual effects are predicted during the operational phase of the project as the DSF increases in size and because a more discernible feature in views to the north, albeit appearing below the skyline defined by the Sperrin Mountains in the distance from the A505, and in oblique views from sections of the route closest to the site within the Owenreagh Valley.
Closure and Restoration Phase	Following closure and restoration the perceptibility of the DSF will reduce as it revegetates and becomes integrated more closely into the surrounding landscape, resulting in negligible (not significant) sequential visual effects.
Potential Effects from Lighting	Overall the effects from lighting from this route will be seen for a short duration at an oblique angle of view, and will be minor (not significant) during the operational phase, reducing to negligible (not significant) following closure and restoration once any artificial lighting has been removed.
Potential for Future Cumulative Effects	<p>A number of wind farm developments including Crockdun, Cregganconroe and the Barony Road Wind Energy Project, will be visible from this promoted tourist route as it follows the A505 and B46. The turbines of these developments will represent prominent and unavoidable features in views for receptors travelling along this tourist route. In contrast the Curraghinalt Project will form a relatively minor feature in longer distance views to the north.</p> <p>When considered in conjunction with the above mentioned developments additional or total/combined cumulative visual effects on views from this route will be negligible (not significant).</p>

Cycle Routes

Table 9.29 White Hare Cycle Route

White Hare Cycle Route			
Representative Viewpoints	VP5. Greencastle Road VP8. Barony Road (A505)	Distance from nearest Project Components	1.5km
Description of Existing View	<p>This is a circular route starting at Carrickmore, passing through the settlements of Loughmacrory, Mountfield, Greencastle, and Creggan, before returning to Carrickmore.</p> <p>The section of the route following Greencastle Road passes through settled undulating farmland. Some views are filtered and screened by vegetation and built form. However the route offers regular often elevated panoramic views of the surrounding landscape, including distant views towards the Central Sperrin Mountains.</p>		
Sensitivity	Although users of this route will be transient, as recreational receptors they will have an appreciation of the available views experienced from this route, and are therefore		

White Hare Cycle Route	
(Nature of receptor)	considered to be of high susceptibility. As the route passes through the Sperrin AONB it is recognised that the value of the view will be appreciated by some users and is therefore judged to be medium. Overall, the sensitivity is judged to be high .
Magnitude of change (Nature of effect)	The ZTV indicates that visibility of the project site will be possible from a proportion of this route when travelling north along Inisclan Road and Greencastle Road between Mountfield and Greencastle (approximately 4km), and when travelling northwards along Crockanboy Road between Creggan and Greencastle (approximately 5km). Views will be experienced at a minimum of 1.5km and often at an oblique angle to the direction of travel.
Significance of visual effects during each Assessment Phase	
Construction Phase	Visibility of disturbance associated with preparatory groundworks and construction of project components will be largely imperceptible from this route whilst receptors are predominantly focused on the direction of travel. Small scale discernible changes to the project site will be evident in views within 3km of the project site, which will be limited to the section of the route between the junction with Cashel Road and Greencastle to the south. Visual effects on sequential views from this short section of the route will be minor (not significant), intermittently screened by roadside vegetation, and will be negligible (not significant) for the route as a whole.
Operational Phase	During the operational phase the DSF will become the most discernible feature in views towards the project site, however this feature will result in only a small scale change, and occupy only a small proportion of the available views from this route. Beyond 3km the project site will be largely imperceptible, even when the DSF is in the latter stages of the operational phase. Visual effects on sequential views from this short section of the route will be minor (not significant), intermittently screened by roadside vegetation, and will be negligible (not significant) for the route as a whole.
Closure and Restoration Phase	Following closure and restoration of the project site the visual effects experienced from the short sections of the route within 3km of the project will be reduced and the effects on sequential views will be negligible (not significant) for the route as a whole.
Potential Effects from Lighting	Visibility of night time light and indirect light glow generated from artificial lighting of the Curraghinalt Project may be possible during the construction and operational phases, but will be largely seen in the context of other lighting associated with residential properties, farmsteads and facilities at Greencastle within the Owenreagh Valley, and where present street lighting along the public road network. Potential visual effects from lighting of sequential views will be negligible (not significant) for the route as a whole.
Potential for Future Cumulative Effects	Although visibility of other developments is predicted to occur from some short sections of this recreational route, significant visual effects on views are likely to be limited to those arising from the introduction of the Cregganconroe and Crockdun wind farms from a short section of the route along Loughmallon Road to the south-east. Other individual developments visible from this route are unlikely to give rise to significant visual effects. Similarly, as no significant sequential visual effects arising from the introduction of the Curraghinalt Project are predicted from this route, <i>additional or total/combined</i> cumulative visual effects on views from this route will be negligible (not significant).

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10 Implications for Designated Landscapes

- 10.1 This section describes the implications of the Curraghinalt Project for designated landscapes in the study area. Landscapes designated nationally for their scenic value across the study area are set out in the landscape baseline, and are shown on **Figure 6.4** and **Figure 6.5**.

Sperrin Area of Outstanding Natural Beauty (AONB)

- 10.2 The only designated landscape located within the study area is the Sperrin AONB. Unlike most other AONBs located across Northern Ireland, and the wider UK, the Sperrins AONB has no documented special qualities.
- 10.3 In the absence of a citation or a description of the special qualities or key landscape characteristics of the AONB, the assessment of effects on the landscape character of the AONB is based on the assessment of LLCAs that cover the AONB.
- 10.4 Based on the detailed analysis of landscape effects on LLCAs set out in **Table 8.2** to **Table 8.6**, as well as the wider potential implications for RLCAs set out in **Table 8.7** and **Table 8.8**, potential implications for this designated landscape have been considered in the assessment and observations drawn from the assessment of landscape, visual and cumulative effects.

Potential for landscape effects within the Sperrin AONB

- 10.5 The Sperrin AONB designation covers much of the Sperrins (7) RLCA which is the principal mountain range of the north-west of Northern Ireland. As detailed in the NIRLCA *'the Sperrins comprise some of the wildest and most rugged terrain in Northern Ireland. The main ridges, divided by the scenic Glenelly valley, are surrounded by a series of outliers including Bessy Bell and Mullaghcarn above the River Strule, Slieve Gallion in the east, and Benbradagh across the Glenshane Pass. The boundaries follow the main east-west ridges of the Sperrins, separating them from the lower hills to north and south.'* The broad ridge formed by Mullydoo, Crocknamoghil and Crockanboy Hill is located at the southern periphery of the Sperrins marking the transition from the more dramatic and exposed hills and ridges of the Sperrin Mountains and the lower hills to the south.
- 10.6 The landscape of the Sperrin AONB is defined by a number of LLCAs, those located within 15km of the Curraghinalt Project are listed in **Table 6.1**. Only a small number of the LLCAs will be affected by the introduction of the Curraghinalt Project, as outlined in the assessment within **Table 8.2** to **Table 8.6**, and although significant localised effects on these LLCAs are predicted to arise during the construction and operational phases of the project, effects will be limited to the direct effects which will occur within the proposed project infrastructure site and indirect effects on landscape character when experienced from the immediate locality and neighbouring LLCAs. These significant landscape effects will be restricted locally to the South Sperrin (24), Beaghmore Moors and Marsh (25) Bessy Bell & Gortin (26) LLCAs within approximately 1km of the project site. In contrast, negligible effects are predicted for the landscape of the Sperrin Mountains (29) RLCA, which defines the core upland area of the AONB.

Potential for effects on views to and from the Sperrin AONB

- 10.7 **Table 9.1** to **Table 9.9** detail the assessment of effects from the selected assessment viewpoints, each of these nine viewpoints are located within the AONB.
- 10.8 Potential views of the Curraghinalt Project from the AONB will be relatively localised, as indicated by the ZTV shown on **Figure 6.4a** and **Figure 6.5a**. Visibility is generally concentrated to the south-east, south and south-west of the site from the north facing slopes of the Owenreagh Valley and more exposed elevated areas. The ZTV indicates that visibility of the Curraghinalt Project will

be very limited from the core upland area of the Sperrin AONB, defined by the Sperrin Mountains to the north. The elevated upland areas from where visibility is indicated (by the blue areas of the ZTV) will experience only long distance visibility of the process plant buildings (indicated by the ZTV on **Figure 6.3a**) and the DSF once cell one reaches its maximum vertical extent (year 5 onwards). However, at distances of 5-15km's views of these feature will be largely undiscernible, appearing as a minor change to part of the distant skyline formed by the broad ridge of Mullydoo, Crocknamoghil and Crockanboy Hill.

- 10.9 Notwithstanding the above, significant effects on views and visual amenity from some locations within the AONB will occur, however these visual effects are associated with views from the immediate vicinity of the site (located within 5km) and associated with local views, transient receptors in close proximity to the site and residential receptors, rather than views which are promoted or documented as being representative of the intrinsic scenic qualities of the AONB.

Potential for Cumulative Effects on the Sperrin AONB

- 10.10 The potential for significant future cumulative effects on the Sperrin AONB is considered to be limited in relation to other mineral extraction proposals of the type and scale of the Curraghinalt Project. However, a number of large scale commercial wind farm developments (Crockdun, Doraville and Beltonanean wind farms), are consented or proposed within, or in close proximity to the Sperrin AONB as shown on **Figure 6.9**. Due to their large vertical scale, their location in elevated and exposed situations and the rotating movement of turbines, it often leads to an extensive visual influence over large areas, especially across elevated areas and hill summits. In comparison, static developments which do not alter distinguishable skylines or which may appear consistent with the existing pattern of landuse and landcover are often less discernible, with views often experienced over a much smaller area.
- 10.11 The opportunity for intervisibility between the Curraghinalt Project and large scale wind farms is generally very limited due to the comparative scale of the Curraghinalt Project and its location on the mid-slopes of the Owenreagh River valley which limits visibility of the proposal from the Central Sperrin Mountains and more elevated areas of the AONB to the north. However, from areas at the southern periphery of the AONB, including the notable summit of Mullaghcarn and local hill of Cashel Rock in close proximity to the Curraghinalt Project, it will be possible to experience combined and successive visibility of the Curraghinalt Project alongside a number of wind farm developments, however it is considered that these commercial scale wind farms will exert a far greater influence over views from within and towards the AONB.

Relevant Policy Tests

- 10.12 Notwithstanding the fact that the occurrence of any mineral resources is finite and often defined by very specific geological conditions, the siting and design of the necessary above ground surface infrastructure of the Curraghinalt Project has taken account of its sensitive location within the Sperrin AONB throughout every stage of the projects development.
- 10.13 Current national and local planning policy makes reference to the conservation, protection and enhancement of natural heritage within AONBs, and the approach to the siting and design of the Curraghinalt Project has considered a number of key policy tests throughout this process.
- 10.14 **Table 10.1** below outlines the key policy tests in relation to proposed development, and more specifically mineral extraction developments where applicable.

Table 10.1 Relevant Policy Tests

Relevant Policy to AONB	Response to Policy
<i>Planning Policy Statement 2 Natural Heritage (PPS2) – July 2013</i>	The siting of the key proposed infrastructure site (Area A) was the subject of an extensive site selection process, informed by the initial identification of key environmental sensitivities, including those associated with potential landscape and visual effects, and technical constraints.

Relevant Policy to AONB	Response to Policy
<p>Policy NH6 – Areas of Outstanding Natural Beauty – “Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:</p> <p>a) <i>the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and</i></p> <p>b) <i>it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and</i></p> <p>c) <i>the proposal respects: local architectural styles and patterns; traditional boundary details, by retaining features such as hedges, walls, trees and gates; and local materials, design and colour.”</i></p>	<p>A number of potential sites were considered for the proposed infrastructure site, and included locations to both the north and south of the broad ridge between Rouskey and Greencastle, overlooking the Owenkillew and Owenreagh River Valleys respectively.</p> <p>Potential sites on the north facing flanks of the ridge overlooking the Owenkillew River were judged to have greater potential for intervisibility with the core area of the Sperrin AONBs, including distant views from the Sperrin Mountains to the north.</p> <p>The selected site on the south facing slopes of the broad ridge formed by the flanks of Crocknamoghil and Crockanboy Hill, was judged to offer the greatest opportunity to accommodate the necessary infrastructure whilst containing the potential visual influence of the development across the wider extents of the AONB. The shallow valley landform of the site was judged to be of an appropriate scale to accommodate the DSF and other key project components without unduly altering the distinguishable undulating and generally undeveloped skyline of the broad ridge which often frames views towards the Sperrin Mountains.</p> <p>The siting and design of project components within the proposed infrastructure site has sought to retain existing landscape features (including man-made features of substantial cultural significance) wherever possible. The matrix of coniferous shelter belts found across the northern extents of the site have been utilised to contain the development, whilst the loss and disturbance to the existing landcover pattern of distinguishable 'ladder field' enclosure across the lower reaches of the site and the open moorland and rough grazing of the broad ridge has been minimised.</p> <p>The design of the project components has sought to draw influence from the surrounding landscape wherever possible, remaining sympathetic to vernacular architectural styles and materials.</p> <p>Traditional field boundaries are retained wherever possible and appropriate landscape mitigation has been incorporated to reduce and minimise (screening and filtering) visual effects.</p> <p>The finishes of project components (process plant buildings etc.) have sought to minimise the perceptible of these new features within the landscape, using muted colours which mimic the natural colours of the surrounding landscape and land cover.</p>

Summary

- 10.15 In conclusion, it is considered that the Curraghinalt Project is appropriately sited and designed in order to minimise significant landscape and visual effects within the area defined by the Sperrin AONB.
- 10.16 The Curraghinalt Project will introduce a mineral extraction site to an area of the Sperrin AONB which has been subject to widespread past and current mineral extraction, which remains evident within the local landscape (predominantly the extraction of sand and gravel). The area of the AONB which will experience significant landscape change is predominantly defined as that of a settled farmland valley landscape with numerous other sources of man-made influence. A number of other existing and proposed developments, including large scale commercial wind farms, are located within or in very close proximity to the AONB, asserting a greater visual influence and characterising effect than the predicted effects of the Curraghinalt Project.
- 10.17 Despite the identification of localised landscape effects upon constituent LLCAs which define the Sperrin AONB, and significant effects on views experienced by receptors from within a relatively confined area of the AONB to the south-east, south and south-west of the proposed infrastructure site, it is not considered that the introduction of the Curraghinalt Project will compromise the designation of the Sperrin AONB.
- 10.18 Significant landscape and visual effects which arise will be concentrated within a very localised and relatively visually contained area of the Sperrin AONB, and the wider scenic qualities of the AONB will be largely unaffected by the presence of the development. The landscape and visual effects are therefore not judged to *'unduly compromise the integrity of the area as a whole or threaten to undermine the rationale for the designation'*.

11 Summary of Landscape & Visual Effects

- 11.1 This chapter summarises the residual landscape visual and cumulative effects predicted, after mitigation is complete (mitigation is largely through in-built design mitigation as outlined in **ES Chapter 4: Project Description**, **ES Chapter 5: Alternatives** and following successful implementation of mitigation outlined in **Chapter 7: Mitigation Measures** above.

Potential Effects during the Construction Phase

- 11.2 In terms of effects arising during the construction phase of the project, the assessment identifies significant adverse landscape effects on the project site, and the immediate surrounding landscapes defined by the South Sperrin and Beaghmore Moors & Marsh LLCAs within approximately a 1km radius of the site.
- 11.3 Significant adverse visual effects are predicted from locations in close proximity to the project site, including representative assessment viewpoint 1: Farmsteads off Crockanboy Road, and viewpoint 2: Mullydoo Road, viewpoint 4: Aghaboy Road – South of site, the most immediate residential receptors with available views towards the project site located within residential property groups E, F and H. Significant visual effects on sequential views experienced by transient receptors from a short section of Crockanboy Road (B46) directly south of the main site access and other minor roads located in close proximity (approximately 1km) to the project site and which afford views towards the project site. These effects will be short-term and temporary, associated with pre-construction disturbance to prepare the proposed infrastructure site and main site access, and the construction of the process plant and other onsite infrastructure.
- 11.4 Significant adverse visual effects are predicted for some residential properties located within close proximity, and where open views exist towards the project site. These are limited to a small number of properties located within three residential property groups within 2km of the project site where views of construction activities on site will be evident.

Potential Effects during the Operational Phase

- 11.5 In terms of effects arising during the operational phase, the magnitude of landscape change will generally increase in extent as the project progresses and the DSF increases in vertical and horizontal extent. The assessment identifies significant adverse landscape effects for the project site. Due to the nature of the development, the relatively contained nature of the project site and the proposed progressive restoration of the DSF to integrate this feature into the surrounding landscape, significant landscape effects will be contained within a radius of approximately 1km from the site, extending to local areas of the immediate surrounding landscapes defined by the South Sperrin and Beaghmore Moors & Marsh LLCAs.
- 11.6 Beyond these LLCAs, no significant adverse landscape effects have been identified for any surrounding LLCAs, which includes the Glenelly Valley and Sperrin Mountains LLCAs to the north of the broad ridge formed by Mullydoo, Crocknamoghil and Crockanboy Hill.
- 11.7 No designated landscapes, including the Sperrins AONB within which the proposal is located, will be compromised as a consequence of the introduction of the Curraghinalt Project. The very localised significant adverse landscape effects for the LLCAs which define the project site and its immediate setting will not unduly compromise the integrity of the AONB as a whole or threaten to undermine the rationale for the designation. Views towards and from the core area of the AONB, defined by the upland area of the Sperrin Mountains, would not be significantly affected by the presence of the proposed development, and would remain largely unaltered. As such the reasons for its designation would remain unaffected.
- 11.8 Significant adverse visual effects are predicted to arise during the operational phase from five of the nine assessment viewpoints. All significant visual effects are from viewpoints located within approximately 3.5km of the project site and representative of close proximity views likely to be experienced by residents, road users or recreational receptors where clear views exist towards the

proposed development. From the majority of these viewpoints the DSF represents the most discernible and largest feature in the view, with the magnitude of visual change generally increasing through the operational phase as the vertical and horizontal extent of the DSF increases. Through progressive restoration the DSF will gradually assimilate into the underlying and surrounding landscape, with operations continuing on the active cells of this component.

- 11.9 Beyond this distance, even viewers of the highest sensitivity, at highly valued viewpoints, will not experience significant adverse visual effects. Furthermore, the assessment has not identified any significant adverse visual effects from settlements. In practice, actual visibility from the majority of settlements within the study area will be very limited.
- 11.10 In terms of visibility from transient routes, localised significant adverse sequential effects have been identified from Crockanboy Road (B46) as it passes to the immediate south of the site and the main site access. Significant adverse visual effects are also predicted from short sections of the local minor road network including Crockanboy Road, experienced by receptors accessing residential properties, Mullydoo Road travelling north, when travelling west along Black Bog Road, and travelling east and north along Leaghan Road. However, these effects do not translate into significant sequential effects on either the B46 route as a whole, or from all minor roads within close proximity to the project site.
- 11.11 Furthermore, no significant adverse sequential visual effects have been identified from any other major roads or tourist routes within the wider study area, including the A505 (Barony Road) which forms part of the Central Sperrins Scenic Driving Route.
- 11.12 Significant adverse visual effects associated with the operational phase are predicted from residential properties located within close proximity, and where open views exist towards the project site. These are limited to a small number of properties located within four residential property groups within approximately 2.5km of the project site as the DSF gradually increases in scale and size and becomes a discernible feature in views.
- 11.13 Given the localised extent of the significant adverse landscape, visual and sequential effects predicted to arise from the introduction of the Curraghinalt Project, and the scale and location of other developments considered in the CLVIA, it is not considered likely that any *additional* significant landscape or visual effects will arise in the speculative scenario in which all other consented and proposed developments are present in the landscape. However, the potential for significant adverse *total* or *combined* cumulative effects is recognised.

Potential Effects following Closure and Restoration

- 11.14 Following closure and restoration of the project site, including the removal of all non-permanent componentry and implementation of the proposed closure and restoration activities, significant adverse landscape effects will be limited to the project site and will largely due to the introduction of the permanent large scale landform of the final DSF. The revegetation and implementation of proposed landscape restoration measures will reduce the landscape effects on the immediate surrounding landscapes defined by the South Sperrin and Beaghmore Moors & Marsh LLCAs to insignificant.
- 11.15 Significant adverse visual effects will still remain from two of the nine representative assessment viewpoints, located within 500m of the project site from where the DSF will still form the defining feature in the view following full restoration of the site and revegetation of the DSF.
- 11.16 Significant adverse visual effects are also expected to remain following closure and restoration from a small number of properties located in property group E and property group F, within 1km of the project site, with the DSF remaining a discernible and large scale feature in views northwards from some residential properties.

Potential Effects from lighting

- 11.17 Potential effects on landscape receptors from artificial lighting, during the construction and operational phases, are expected to be significant and adverse for the site, and the immediate surrounding landscapes defined by the South Sperrin and Beaghmore Moors & Marsh LLCAs within approximately a 1km radius of the site.

- 11.18 Significant adverse visual effects are predicted from four viewpoints located within 3km of the project site, where artificial lighting will be visible throughout the construction phase and throughout much of the operational phase, including lighting associated with the process plant buildings which will eventually become largely contained by the presence of the DSF directly to the south. Similar significant adverse effects associated with artificial lighting are also predicted from some residential properties within property group E, F and H, and from a short section of Crockanboy Road as it passes the main site access.
- 11.19 Perceptible light glow from the project site will be evident from within approximately 5km of the site, however, associated visual effects will often be in the context of other sources of artificial lighting and will not be significant. Perceptibility of lighting and light glow from beyond 5km may be possible in very clear night time conditions, however, the scale of the project site and the extent of lighting proposed is not considered likely to result in significant visual effects, including from the upland core area of the Sperrin Mountains to the north or other areas of notable dark sky resource.
- 11.20 All significant adverse effects from lighting will reduce to (not significant) following closure and restoration of the project site, which will include the removal of all sources of onsite artificial lighting.

Conclusion

- 11.21 Overall, the Curraghinalt Project will result in very localised significant adverse effects on the site and surrounding landscape (contained within 1km radius of the site) and localised significant adverse visual effects on views extending to approximately 3.5km from the project site, as indicated through examination of visual effects from representative viewpoints, transient routes, settlements and residential property groups.
- 11.22 All construction effects will be short-term and adverse, although reversible. All the landscape and visual effects identified during the operational phase will be long-term and adverse, though other than the permanent introduction of the DSF, most effects will be reversible. Furthermore, landscape restoration and habitat enhancement across the site, including new native woodland planting, which will be implemented during each phase of the project, and extensively during the closure and restoration phase, will provide a minor landscape and visual benefit that will continue beyond the operational life of the proposed project.

Table 11.1.1 Summary of Landscape Effects

Summary of Landscape Effects						
Landscape Receptor	Construction Period	Operational Period	Closure and Restoration Period	Potential Effects from Lighting	Potential for Future Cumulative Effects	
The Project Site	Major (Significant)	Major (Significant)	Moderate (Significant)	Moderate (Significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	n/a	
LLCA 24 South Sperrin	Moderate locally (Significant) and Negligible for the LLCA as a whole (Not significant)	Moderate locally (Significant) and Negligible for the LLCA as a whole (Not significant)	Minor locally (Not significant) and Negligible for the LLCA as a whole (Not significant)	Moderate locally (Significant) and Negligible for the LLCA as a whole (Not significant)	Minor (Not significant)	
LLCA 25 Beaghmore Moors & Marsh	Moderate locally (Significant) and Negligible for the LLCA as a whole (Not significant)	Moderate locally (Significant) and Negligible for the LLCA as a whole (Not significant)	Minor locally (Not significant) and Negligible for the LLCA as a whole (Not significant)	Moderate (Significant) locally, and Negligible (Not significant) for the LLCA as a whole during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Minor (Not significant)	
LLCA 26 Bessy Bell & Gortin	Minor locally (Not significant) and Negligible for the LLCA as a whole (Not significant)	Minor locally (Not significant) and Negligible for the LLCA as a whole (Not significant)	Minor locally (Not significant) and Negligible for the LLCA as a whole (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)	
LLCA 29 Sperrin Mountains	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	
LLCA 43 Carrickmore Hills	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	

Table 11.2 Summary of Visual Effects

Summary of Visual Effects					
Landscape Receptor	Construction Phase	Operational Phase	Closure and Restoration Phase	Potential Effects from Lighting	Potential for Future Cumulative Effects
Viewpoints					
VP1: Farmsteads off Crockanboy Road	Major (Significant)	Major (Significant)	Moderate (Significant)	Moderate (Significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP2: Mullydoo Road	Major (Significant)	Major (Significant)	Moderate (Significant)	Major (Significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP3: Crockanboy Road (B46)	Minor (Not significant)	Moderate (Significant)	Minor (Not significant)	Moderate (significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP4: Aghaboy Road – South of site	Moderate (Significant)	Moderate (Significant)	Minor (Not significant)	Moderate (Significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP5: Greencastle Road	Minor (Not significant)	Moderate (Significant)	Minor (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)

Summary of Visual Effects						
VP6: Cashel Rock	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP7: Aghaboy Road – South-west of site	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP8: Barony Road (A505)	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
VP9: Mullaghcarn	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
Settlements						
Greencastle	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Minor (Not significant) during construction and operational periods, reducing to Negligible (Not significant) following closure and restoration	Negligible (Not significant)
Residential Property						
Property Group A	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	n/a
Property Group B	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	n/a

Summary of Visual Effects						
Property Group C	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	n/a
Property Group D	Negligible (Not significant)	Minor (Not significant)	Minor (Not significant)	Negligible (Not significant)	Minor (Not significant)	n/a
Property Group E	Moderate (Significant)	Major (Significant)	Major (Significant)	Moderate (Significant)	Moderate (Significant) during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	n/a
Property Group F	Moderate (Significant)	Major (Significant)	Major (Significant)	Moderate (Significant)	Moderate (Significant) during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	n/a
Property Group G	Minor (Not significant)	Minor (Not significant)	Minor (Not significant)	Negligible (Not significant)	Minor (Not significant)	n/a
Property Group H	Moderate (Significant)	Moderate (Significant)	Moderate (Significant)	Minor (Not significant)	Moderate (Significant) during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	n/a
Property Group I	Negligible (Not significant)	Minor (Not significant)	Minor (Not significant)	Negligible (Not significant)	Minor (Not significant)	n/a
Property Group J	Minor (Not significant)	Moderate (Significant)	Moderate (Significant)	Minor (Not significant)	Minor (Not significant)	n/a
Property Group K	Negligible (Not significant)	Negligible (Not significant)	Minor (Not significant)	Negligible (Not significant)	Minor (Not significant)	n/a
Property Group L	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)	n/a
Property Group M	Minor (Not significant)	Minor (Not significant)	Minor (Not significant)	Negligible (Not significant)	Minor (Not significant)	n/a
Property Group N	Minor (Not significant)	Minor (Not significant)	Minor (Not significant)	Negligible (Not significant)	Minor (Not significant)	n/a

Summary of Visual Effects					
Routes					
B46 – Crockanboy Road	Moderate locally (Significant) and Negligible for the route as a whole (Not significant)	Moderate locally (Significant) and Negligible for the route as a whole (Not significant)	Minor locally (Not significant) and Negligible for the route as a whole (Not significant)	Moderate locally (Significant) during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	Negligible (Not significant)
A505 – Barony Road	Negligible (Not significant)	Minor locally (Not significant) and Negligible for the route as a whole (Not significant)	Negligible (Not significant)	Minor locally (Not significant) during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	Negligible (Not significant)
Minor roads within 5km of site	Moderate locally (Significant) for sections of local road network within approximately 3km	Moderate locally (Significant) for sections of local road network within approximately 3km	Minor locally (Not significant) for sections of local road network within approximately 3km	Moderate locally (Significant) for sections of local road network within approximately 3km during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	Negligible (Not significant)
Central Sperrins Scenic Route	Minor locally (Not significant) and Negligible for the route as a whole (Not significant)	Minor locally (Not significant) and Negligible for the route as a whole (Not significant)	Negligible (Not significant)	Minor locally (Not significant) during construction and operation and reducing to Negligible (Not significant) following closure and restoration.	Negligible (Not significant)
White Hare Cycle Route	Minor locally (Not significant) and Negligible for the route as a whole (Not significant)	Minor locally (Not significant) and Negligible for the route as a whole (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)

Appendix 1

LVIA Methodology

LVIA Methodology

Assessing Landscape Effects

Significance of Landscape Effects

Judging the significance of landscape effects requires consideration of the sensitivity (nature of the landscape receptors) and the magnitude of effect on those receptors (nature of the effect). The third edition of the GLVIA states that sensitivity of landscape receptors should be assessed in terms of the susceptibility of the receptor to the type of change proposed, and the value attached to the receptor. The magnitude of effect on each landscape receptor should be assessed in terms of its size and scale, geographical extent, duration and reversibility.

These aspects are considered together, to come to a judgement regarding the overall significance of landscape effect (GLVIA3, Figure 5.1, Page 71). The following sections set out the methodology and explain the terms used.

Sensitivity (Nature) of Landscape Receptor

The sensitivity (nature) of a landscape receptor varies depending on the condition of the existing landscape and its capacity to accommodate change. Landscape sensitivity is assessed in terms of the susceptibility of a landscape receptor to the type of change proposed and the value attached to the receptor. Landscape sensitivity varies according to the type of development proposed and the individual elements, key characteristics, inherent quality or condition, capacity to accommodate change, and the specific qualities associated with any landscape designations that may apply.

In accordance with GLVIA3, sensitivity is judged by considering both susceptibility and value. Combining judgements regarding susceptibility and value is straightforward when both susceptibility and value are high, when both are low or when both are medium. In these cases the sensitivity of the receptor would be high or low or medium. Judgements are more complex when susceptibility is low but value is high or vice versa. It may be the case, for example, that key attributes of landscape character may be affected adversely by the development (suggesting high susceptibility) despite this same area of the landscape having a low value, such that that overall sensitivity is judged to be high.

It should be noted that whilst designated landscapes, at an international or national level, are likely to be accorded the highest value, it does not necessarily follow that all areas of such landscapes have a high susceptibility to all types of change (GLVIA3, Page 90). There may be a complex, and variably weighted relationship between the value attached to a landscape and susceptibility to change. Therefore, the rationale for judgements provided regarding the sensitivity of the landscape is clearly set out for each receptor.

The sensitivity (nature of receptor) of the landscape receptor to change is defined as high, medium or low and is based on weighing up professional judgements regarding susceptibility and value, and each of their component considerations. Further information on each criteria is provided below.

Susceptibility of Landscape Receptors

Susceptibility is defined as *“the ability of the landscape receptor (whether it be the overall character or quality/condition of a particular type or area, or an individual element and/or feature, or a particular aesthetic and perceptual aspect) to accommodate the proposed project without undue consequences for the maintenance of the baseline situation and/or the achievement of landscape planning policies and strategies”* (GLVIA3 Para 5.40).


Landscape Value

Landscape value is recognised as being a key contributing factor to the sensitivity of landscape receptors, and is determined with reference to the presence of relevant designations (AONBs) and their level of importance. In the absence of designation, reference is made to performance against

criteria which are indicative of value, such as condition, scenic quality, rarity, representativeness, conservation interests, recreation value, perceptual aspects, and associations. Value encompasses both that of individual components of the landscape, as well as its resulting overall character.

Judgements regarding the sensitivity of landscape receptors are recorded as **high**, **medium** or **low** as indicated in the table below.

Determining Sensitivity of Landscape Receptors

Determining Sensitivity of Landscape Receptors (susceptibility and value)	
High	 <p>A landscape of particularly distinctive character, where its character, land use, pattern and scale may offer very limited opportunities for the accommodation of change, and/or development of successful mitigation, and which is therefore highly susceptible to change.</p> <p>May be internationally or nationally designated and valued landscapes. Landscapes or landscape features may display a strong degree of intactness and/or scenic quality, and/or particular rarity.</p>
Medium	<p>A landscape of notable character, which may offer some opportunities for the accommodation of change due to its nature, land use, pattern and scale, but which may demonstrate some susceptibility to the type of change proposed. May offer more opportunity for the development of successful mitigation.</p> <p>May be nationally, regionally or locally designated and valued landscapes. Landscapes or landscape features may display, to a lesser degree, relative intactness and/or scenic quality, and/or some rarity.</p>
Low	<p>A landscape which is of low scenic quality, and/or where its character, existing land use, pattern and scale are of low susceptibility to change and/or offer very good opportunities for successful mitigation, or enhancement.</p> <p>May be locally designated and valued landscapes. Landscapes or landscape features may display little landscape and/or scenic quality, and may be commonplace.</p>
<p>Note: there is a gradual and blurred transition between each grade and judgments about the sensitivity of landscape receptors may include individual features or areas.</p>	

Magnitude (Nature) of Landscape Effect

The overall judgement of magnitude of landscape effect is based on combining professional judgements on size and scale; geographical extent; duration and reversibility. Further information on each criteria is provided below.

Size and/or Scale, and Geographical Extent

This is a measure of the extent of existing landscape elements that will be lost, the proportion of the resource that this represents, the contribution of such elements to the character of the landscape, and the size of the geographical area across which the impacts will be felt. In terms of landscape character, this reflects the degree to which the character of the landscape will change by removal or addition of landscape components, and how the changes will affect key characteristics. Size/scale is described as being **large**, **medium** or **small**, and the geographical extent over which the impact will be experienced is described as **widespread** or **localised**, i.e. at a regional level, or associated with the more immediate setting of the site.

Duration

GLVIA3 states that "*Duration can usually be simply judged on a scale such as short term, medium term or long term.*" (GLVIA3, Para. 5.51, Page 91). For the purposes of this assessment, duration has been determined in relation to the key phases of the Curraghinalt Project, as follows:

- **Short-term** effects are those that occur during construction phase, and may extend into the early part of the operational phase (e.g. construction activities), generally lasting less than two years;

- **Medium-term** effects are those that occur during the operational phase, where effects may gradually increase as the dry stack facility (DSF) increases in extent (both horizontally and vertically), and will generally last 2-25 years. Screen planting implemented for mitigation may gradually reduce effects as it matures during this phase; and
- **Long-term** effects which are effectively permanent, remaining after closure and restoration of the Curraghinalt Project (generally lasting longer than 20 years).

Effects which last for the life of the project but which will not extend beyond closure and restoration, or will be very much reduced at this stage are considered to be medium-term.

Reversibility

Reversibility is reported as **permanent** (i.e. irreversible), **partially reversible** or **reversible**, and is related to whether the landscape change can be reversed at the end of the phase of development under consideration (i.e. at the end of the construction or at the end of the operational lifespan of the development). Some of the operational landscape effects are considered to be reversible as the closure and restoration phase will remove most project infrastructure at the end of the operational phase. Landscape effects are therefore considered to be reversible except where specifically stated in the assessment.

Judgements regarding the magnitude of landscape effect are recorded as **high, medium, low** or **barely perceptible**, as indicated in the table below.

Magnitude of Landscape Effect

Magnitude of Landscape Effect (size and/or scale, geographical extent, duration, reversibility)	
High	A large change in landscape characteristics and/or over extensive geographical area and/or which may result in an irreversible landscape impact.
Medium	A moderate change in landscape characteristics and/or which may be over a large geographical area, and/or which may be reversible over a long duration of time.
Low	A small change in characteristics of the landscape and/or which may be over a relatively localised geographical area, and/or which may be reversible over a short duration of time.
Barely Perceptible	A virtually imperceptible change in characteristics of the landscape and/or which is focused on a small geographical area, and/or which is almost or completely reversible

Levels of Landscape Effect and Significance

Following evaluation of sensitivity (susceptibility, value), and magnitude (size and/or scale, geographical extent, duration and reversibility), the overall significance of the landscape effect is determined, by making an informed professional judgement, on the basis of weighing up all distribution of judgements for each of the aspects that have been considered. Although without a numerical or formal weighting system, appropriate weight is therefore given to the relative importance of each of the aspects that must be considered.


The levels of landscape effect are described as being **major, moderate, minor** or **negligible**, in line with table below.

Levels of Landscape Effect

Levels of Landscape Effect	
Major	Changes substantially affecting the character of the landscape or the elements therein. For example a major impact is likely when a receptor of high sensitivity is affected by a high magnitude of landscape impact.
Moderate	Change affecting, to a lesser degree, the character of the landscape or the elements therein. For example a moderate impact is likely when a receptor of medium sensitivity is affected by a moderate magnitude of landscape impact.
Minor	Slight change affecting the character of the landscape or specific elements therein. For example a minor impact is likely when a receptor of low sensitivity is affected by a low magnitude of landscape impact.
Negligible	No or minimal perceptible change, affecting the character of the landscape or specific elements therein. Note that this includes locations where there will be no landscape impacts.

Landscape effects are described as either **not significant** or **significant**, whereby **major** and **moderate** landscape effects are considered significant, as outlined in table below. Note that there is a gradual, blurred transition between levels.

Significance of Landscape Effects

Significance of Landscape Effects		
Not Significant		Significant
Landscape effects may be reversible and/or of short duration, and/or over a restricted area, affecting elements and/or characteristics (including aesthetic and perceptual aspects) that contribute to but are not key to the character of landscapes.		Landscape effects may be long-term and/or irreversible, and/or over an extensive area, affecting elements and/or characteristics (including aesthetic and perceptual aspects) that are key to the character of nationally valued landscapes.

Direction of Landscape Effects

As required by the EIA Regulations, the assessment must identify the direction of effect as either being adverse, beneficial or neutral (also referred to as negative or positive). With regard to mineral developments, the direction of effects on the landscape are described as **beneficial** ('positive'), **adverse** ('negative') or **neutral** is determined in relation to the degree to which the proposal fits with the existing landscape character. The Curraghinalt Project will comprise the introduction of a mineral extraction and processing facility into an area of open moorland, rough grazed agricultural land and coniferous plantations, and as such will differ to the existing landscape character.

On this basis, all effects on landscape are assumed to be **adverse** ('negative') unless otherwise stated. Some elements of the Curraghinalt Project may be considered beneficial ('positive') (e.g. the introduction of broadleaf native tree planting and the re-establishment of moorland habitat) and this has been indicated within the text where applicable.

Assessing Visual Effects

Significance of Visual Effects

As outlined in GLVIA3 "An assessment of visual effects deals with the effects of change and development on views available to people and their visual amenity" (GLVIA3, Para 6.1, Page 98). Changes in views may be experienced by people at different locations within the study area including from static locations (normally assessed using representative viewpoints) and whilst

moving through the landscape (normally referred to as sequential views from roads and other recreational routes (e.g. cycle and walking routes)).

Visual receptors are individuals or groups of people who may be affected by changes in views and visual amenity, and they are usually grouped by reference to their susceptibility to change in views and visual amenity as a function of the occupation activity of the person experiencing the change (for example residents, motorists, recreational users etc.) and the extent to which their attention is deliberately focused on the view and visual amenity (GLVIA3, Paras. 6.31 – 6.32, Page 113).

Sensitivity (Nature) of Visual Receptor

The sensitivity (nature) of visual receptors may involve a complex relationship between a visual receptors (people's) susceptibility to change and the value attached to a view. Therefore the rationale for judgements of sensitivity is clearly set out for each receptor in relation to both susceptibility and value.

Sensitivity to change is defined as high, medium or low and is based on combining professional judgements on susceptibility and value. Further information on each criteria is provided below.

The visual impact assessment assesses the impact of the proposed project on views, and the visual amenity people who could experience views of the Curraghinalt Project. A particular person or group of people will be affected by a change in view or visual amenity in different ways.

Susceptibility of Visual Receptors

Susceptibility to changes in views and/or visual amenity is a function of the occupation or activity of people experiencing the view and the extent to which their attention is focused on views (GLVIA 3, para 6.32). This is recorded as **high, medium or low** informed by the table below.

Value Attached to Views

GLVIA3 also requires evaluation of the value attached to the view or visual amenity and relates this to planning designations and cultural associations (GLVIA3, Para. 6.37, Page 114).

Recognition of the value of a view is determined with reference to:

- planning designations specific to views or visual amenity;
- whether it is recorded as important in relation to designated landscapes (such as views specifically mentioned in the special qualities of an AONB);
- whether it is recorded as important in relation to heritage assets (such as designed views recorded in citations of Register of Parks, Gardens and Demesnes of Special Historic Interest (Northern Ireland) or views recorded as of importance in Conservation Area Appraisals); and
- the value attached to views by visitors, for example through appearances in guide books or on tourist maps, provision of facilities for their enjoyment and references to them in literature and art.


It is common practice in visual impact assessment to assign a sensitivity level to the person or group of people experiencing the likely change in view. Level of sensitivity is usually assigned ranging from high, to medium, to low and is generally influenced by the susceptibility of the viewer to change in view of visual amenity. This may be further calibrated by reference to planning designations of a view and cultural significance, as indicated below.

A designated viewpoint or scenic route advertised on OS maps and in tourist information, or which is a significant destination in its own right, such as a prominent or popular hill summit offering panoramic views, is likely to indicate a view of higher value. High value views may also be recognised in relation to the special qualities of a designated landscape or heritage asset, or it may be a view familiar from photographs or paintings.

Views experienced from viewpoints or routes not recognised formally or advertised in tourist information, or which are not provided with interpretation or, in some cases, formal access are likely to be of lower value.

Judgements on the value of views or visual amenity are recorded as of **high, medium** or **low** value guided by table below.

Determining Sensitivity of Visual Receptors

Determining Sensitivity of Visual Receptors (susceptibility and value)	
High	 <p>Communities where views contribute to the landscape setting enjoyed by residents; people engaged in outdoor recreation (i.e. users of recreational footpaths whose interest is likely to be focused on the landscape); visitors to heritage assets or other attractions where views of surroundings are an important contributor to experience, and travellers on scenic routes where attention is focused on the surrounding landscape. These are receptors which are deemed to be of high susceptibility to change.</p> <p>Recognised views, perhaps referred to in literature, recorded in guide books or on maps.</p>
Medium	<p>Recreational or tourist travellers, perhaps moving more slowly though the landscape, on roads; people at their place of work whose attention is not on their surroundings, but where setting is important to the quality of their working life. These are receptors which are deemed to be of medium susceptibility to change.</p> <p>Views which are not formally recognised, but which may be valued locally.</p>
Low	<p>People engaged in longer distance travel on roads, outdoor sport or recreation which does not involve or depend upon appreciation of views of the landscape; people at their place of work whose attention is not on their surroundings, and where setting is of less important to the quality of working life. These are receptors which are of low susceptibility to change.</p> <p>Views which more ordinary, and which are not specifically valued.</p>
<p>Note: there is a gradual and blurred transition between each grade. The presence of a large number of viewers in a location that will otherwise be of low or medium sensitivity may increase the sensitivity.</p>	

Magnitude (Nature) of Visual Effect

The overall judgement of magnitude (nature) of visual effect is based on weighing up professional judgements on size and scale; geographical extent; duration and reversibility. Further information on each criteria is provided below.

Size and/or Scale

The size and/or scale of the visual effect takes account of:

- The scale of the change in view with respect to the loss or addition of features and /or changes in composition, including the proportion of the view occupied by the proposed project;
- The degree of integration of new features or changes in the landscape into the existing view, in terms of aspects such as form, scale and mass, line, height, colour and texture; and
- The nature of the view of the proposed project, in terms of the relative amount of time over which it will be experienced and whether views will be full, partial or glimpses.

In this assessment of size/scale is described as being **large, medium, small** or **barely perceptible**.

Geographical Extent

The geographical extent of visual changes records the extent of the area over which the changes will be visible e.g. whether this is a unique viewpoint from where the proposed project can be glimpsed, or whether it represents a large area from which similar views are gained from large areas. In this assessment geographical extent is described as being **large** (widespread), **medium** (localised) or **small** (immediate). The geographical extent of the visual effect varies in relation to different viewpoints and reflects:

- The direction or bearing of view of the development in relation to the main activity or view experienced by the receptor;
- The distance of the viewpoint from the proposed project; and
- The extent of the area over which the changes will be visible.

Duration

The duration of visual effects is reported as **short-term**, **medium-term** or **long-term**, as defined above in relation to the duration of landscape effects.

Reversibility

Reversibility is reported as **permanent** (i.e. irreversible), **partially reversible** or **reversible**, and is related to whether the visual change can be reversed at the end of the phase of development under consideration (i.e. at the end of the construction or at the end of the operational lifespan of the development). Some operational visual effects are considered to be reversible as the closure and restoration phase will remove most project infrastructure at the end of the operational phase. Visual effects are considered to be reversible except where specifically stated in the assessment.

Judgements regarding the magnitude of visual impacts are recorded as **high**, **medium**, **low** or **barely perceptible**, as indicated in the table below.

Magnitude of Visual Effect

Magnitude of Visual Impact (Size and/or scale, geographical extent, duration, reversibility)	
High	Substantial changes, which may be seen for a long duration, and/or be clearly perceptible, and/or which may be in stark contrast with the existing view, and/or obstruction of a substantial part or important elements of views beyond the main project area, and/or which may result in an irreversible change.
Medium	Location affected by moderate changes in views, and/or visible for a shorter duration, perhaps at a slight angle from the main focus of the view, and/or where changes may be in contrast with the existing view, and/or obstruction of a noticeable part or elements of views beyond the main project area. The change may be reversible over a long duration of time.
Low	Location affected by slight changes in views, and/or visible for a short duration, perhaps at an oblique angle, and/or which may fit to an extent with the existing view. The change may be reversible over a shorter duration of time.
Barely Perceptible	Location affected by a change which is barely visible, and/or visible for a very short duration, perhaps at an oblique angle to the main focus of the view, and/or which may blend with the existing view, usually at some distance from the project, and/or where the change is almost or completely reversible.

Assessing the Significance of Visual Effects

As for landscape impacts, the evaluations against the considerations above are set out together to provide an overall profile of each resultant visual effect. An overview is then taken and an informed professional assessment made of the overall significance of each visual effect. This overview takes account of the judgements made in relation to each aspect considered. Therefore, although without a numerical or formal weighting system, appropriate attention is given to the balance and relative importance of each aspect in each case.

Levels of Visual Effect and Significance

Following evaluation of the various considerations (sensitivity: susceptibility, value; and magnitude: size and scale, geographical extent, duration and reversibility), the overall significance of the visual effect is determined, by making an informed professional judgement, taking account and weighing up all the aspects which have been considered.


Levels of visual effect are identified as being **major**, **moderate**, **minor** or **negligible**, as outlined in **Error! Reference source not found.**below. Note that there is a gradual, blurred transition between levels.

Levels of Visual Effect

Levels of Visual Effect	
Major	Changes substantially affecting views and visual amenity. For example a major impact is likely when a receptor of high sensitivity is affected by a high magnitude of visual impact.
Moderate	Change affecting, to a lesser degree, views and visual amenity. For example a moderate impact is likely when a receptor of medium sensitivity is affected by a moderate magnitude of visual impact.
Minor	Slight change affecting views and visual amenity. For example a minor impact is likely when a receptor of low sensitivity is affected by a small magnitude of visual impact.
Negligible	No or minimal perceptible change, affecting views and visual amenity. Note that this includes locations where there will be no impacts.

Visual effects are described as either not significant or significant, as outlined in the table below, where **moderate** and **major** visual effects are considered significant in the context of the EIA Regulations.

Significance of Visual Effects

Significance of Visual Effects		
Not Significant		Significant
<p>Visual effects on people who are generally less sensitive to changes in views/ visual amenity.</p> <p>Small changes and/or changes which are well integrated into the view, often involving features already present in the view.</p> <p>These may be reversible effects/ or of short duration.</p>		<p>Visual effects on people who may be particularly sensitive to changes in views/ visual amenity, and/or at recognised viewpoints or recognised scenic routes.</p> <p>Large scale changes which introduce new, non-characteristic or discordant or intrusive elements into the view.</p> <p>These may be long-term/ irreversible effects.</p>

This determination requires the application of professional judgement and experience to take on board the many different variables which need to be considered, and which are given different weight according to site-specific and location-specific considerations in every instance. Judgements are made on a case by case basis, guided by the same principles as set out in the diagram above.

Direction of Visual Effects

The direction of effect, described as **beneficial** ('negative'), **adverse** ('negative') or **neutral** is determined in relation to the degree to which the proposed project fits within existing views, and the contribution that the Curraghinalt Project makes to these views, even if it is in contrast to the existing character of the view.

Potential visual effects are assumed to be **adverse** ('negative') unless otherwise specifically stated in the text. In some instances, changes in views as a consequence of the Curraghinalt Project and associated mitigation may be considered beneficial ('positive'), and where applicable this has been indicated within the text.

Assessing Cumulative Effects

The LVIA considers the potential landscape and visual effects arising from the addition of the Curraghinalt Project to the existing landscape, against a baseline that includes other existing built development. This may include, but is not limited to, mineral extraction sites, wind farms and single wind turbines and large scale agricultural or industrial developments, which are either existing or are currently under construction.

An assessment of cumulative effects is required by the EIA Directive and by the associated EIA Regulations.

As outlined in GLVIA3 Cumulative Landscape and Visual Impact Assessment (Cumulative LVIA) should consider *“additional effects caused by the proposed project when considered in conjunction with other proposed projects of the same or different types”* (Para. 3.22, GLVIA3).

The Cumulative LVIA therefore necessarily focuses primarily on the additional cumulative change which will result from the introduction of the Curraghinalt Project, and considers the potential effects which may occur from the addition of Curraghinalt Project to a less certain baseline than that of the LVIA. This includes built development that may or may not be present in the landscape in the future (e.g. developments with a viable planning consent or proposed projects, subject to a valid planning application).

As with the LVIA, the Cumulative LVIA deals with cumulative effects on landscape and visual receptors separately. Terminology and criteria used are similar to that already set out.

Types of Cumulative Effects

As specifically developed in relation to wind farms, Assessing the Cumulative Impact of Onshore Wind Energy Developments (SNH, 2012) provides a concise definition of cumulative landscape effects, and states that *“cumulative landscape effects can impact on either the physical fabric or character of the landscape, or any special values attached to it”* (Para. 48, SNH, 2012).

For cumulative visual effects, it is generally considered that three types of effect on views and visual amenity can arise; combined, successive and sequential visual effects, as outlined below:

- **Combined effects** occur where a static viewer is able to view two or more developments from a viewpoint within the viewers' arc of vision (assumed to be about 90 degrees for the purpose of this assessment) at the same time;
- **Successive effects** occur where a viewer is able to view two or more developments from a viewpoint, but needs to turn to see them; and
- **Sequential effects** occur when a viewer is moving through the landscape from one area to another, for instance when a person is travelling along a road or footpath, and is able to see two or more different developments at the same, or at different times as they pass along the route. Frequent sequential effects occur when a development appears intermittently with short time lapses between points of visibility, depending on the speed and distance. Occasional sequential effects occur where long phases of time lapse between views of the developments, due to a lower speed of travel and/or longer distances between the points of visibility.

Assessment Limitations

No information gaps have been identified which will affect the outcome of the assessment. However, the local landscape character assessments used as a source of baseline information were found to be variable in their age and detail, and no information was identified regarding the special qualities or key characteristics of the Sperrins AONB or its reason for designation. It is however considered that there is sufficient information to enable an informed decision to be taken in relation to the identification and assessment of likely significant landscape and visual effects.

Key Terminology

The key terminology used in the assessment of both landscape and visual effects is set out in the table below.

Key Considerations and Terms

Key Considerations and Terms			
Consideration	Terminology		
Sensitivity	Low	Medium	High
<i>Susceptibility</i>	Low	Medium	High
<i>Value</i>	Low	Medium	High
Magnitude	Low/Barely perceptible	Medium	High
<i>Size/scale</i>	Small	Medium	Large
<i>Geographical Extent</i>	Small (Immediate)	Medium (Localised)	Large (Widespread)
<i>Duration</i>	Short-term (0-3 yrs.)	Medium-term (3-20 yrs.)	Long-term (>20 yrs.)
<i>Reversibility</i>	Reversible	Partly reversible	Permanent
Direction	Positive	Mixed/Neutral	Adverse
Significance	Minor	Moderate	Major

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Appendix 2

Visualisation Methodology

Visualisation Methodology

Introduction

This appendix sets out the approach to the production of visualisations which accompany the Landscape and Visual Impact Assessment (LVIA) and Cumulative Landscape and Visual Impact Assessment (Cumulative LVIA).

The methodology for the production of visualisations was based on current good practice guidance from the Landscape Institute³⁵ and Scottish Natural Heritage (SNH)³⁶, and informed by the principles outlined in GLVIA3³⁷. Further information about the approach is provided below.

Data Used for Terrain Modelling

- OS Terrain[®] 5 mid-resolution height data (DTM) (5m grid spacing, 2.5metres RMSE)
- Ordnance Survey NI 1:25,000 raster data (to provide detailed maps for viewpoint locations)
- Ordnance Survey NI 1:50,000 raster data (to show surface details such as roads, forest and settlement detail)
- Ordnance Survey NI 1:250,000 raster data (to provide a more general location map)

Zone of Theoretical Visibility (ZTV) Modelling

Evaluation of the theoretical extent to which the main Curraghinalt Project components will be visible across the study area was undertaken by establishing a ZTV using specific computer software designed to calculate the theoretical visibility of the proposed project within its surroundings. ESRI's ArcMap 10.2.2 software was used to generate the ZTV. The tool used (Spatial Analyst/Viewshed) does not use mathematically approximate methods. This program calculates areas from which components are potentially visible. This is performed on a 'bare ground' computer generated terrain model, which does not take account of potential screening by buildings or vegetation. It should be noted that the software uses raster height data, but while it is defined as continuous data (with each grid square referred to as a 'cell'), it assumes a single height value from the centre of that cell for the whole cell. Therefore any height variations between centre points of cells will not be recognised.

The DTM used for the analysis is OS Terrain[®] 5 height data, obtained from Ordnance Survey in January 2016. The root-mean-square error (RMSE) of this data is 2.5m. The DTM data is represented by 5x5m grid. The DTM data has been down-sampled to a 10 x 10m grid to reduce processing time. This means that the software calculates the proportion of the specific component visible from the centre point of each cell, but the visibility is shown over the whole 10 x 10m cell.

The DTM data has been not been otherwise altered (i.e. by the addition of local surface screening features) for the production of the ZTV. We have not identified any significant discrepancies between the used DTM and the actual topography around the study area. The effect of earth curvature and light refraction has been included in the ZTV analysis and a viewer height of 2m above ground level has been used. As it uses a 'bare ground' model, it is considered to over emphasise the extent of visibility of the proposed project and therefore represents a 'maximum potential visibility' scenario.

Viewpoint Visualisations

The visualisations which accompany the assessment aim to illustrate representative views of the proposed project. Visualisations may be produced in many forms (hand drawn sketches, annotated photographs, photomontages), however they will never be exactly true to life.

³⁵ Landscape Institute (2011) Advice Note 01/11 Photography and photomontage in landscape and visual impact assessment, and Landscape Institute (2017) Technical Guidance Note 02/17 Visual representation of development proposals

³⁶ Scottish Natural Heritage (2017) Visual Representation of Wind Farms - Version 2.2

³⁷ Landscape Institute and the Institute of Environmental Management & Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3)

Visualisations are tools that inform an assessment of visual impacts, and their application therefore requires careful use. It is important to note that computer generated images, including ZTVs, 3D model views, wirelines and photomontages are used as tools to provide an illustration of the potential visual impacts. They are not a substitute for the actual review of likely visual changes in the field, which forms a key part of the assessment methodology.

The methodology for production of the visualisations was based on good practice guidelines contained within applicable guidance³⁸. Further information about the approach is provided below. The referenced documents also provide guidance for the correct use and viewing of visualisations and should be read prior to their use.

Viewpoint Photography

The camera used for viewpoint photography was a Nikon D750 digital SLR with a fixed at 35mm focal length lens (equivalent to a 52.5mm focal length lens on a 35mm film camera), except where otherwise stated. A tripod with vertical and horizontal spirit levels was used to provide stability and to ensure a level set of adjoining images. A panoramic head was used to ensure the camera rotated about the no-parallax point of the lens in order to eliminate parallax errors between the successive images and enable accurate stitching of the images. The camera was moved through increments of 24° and rotated through a full 360° at each viewpoint. Fifteen photographs were taken for each 360° view. This enabled a 90° angle, centred on the view towards the proposed project, to be cut from the overall 360° photography.

The location of each viewpoint was recorded in the field using a handheld GPS. Weather conditions and visibility were considered an important aspect of the field visits for the photography. Viewpoint photography was undertaken on clear days with good visibility during a field visit in July 2016. Viewpoint locations were visited at appropriate times of day to ensure, as far as possible, that the sun lit the scene from behind, or to one side of the photographer. Photographs facing into the sun were avoided where possible to prevent the proposed project site appearing in silhouette. Adjustments to the lighting of the site were made in the rendering software, to suit the particular lighting and atmospheric conditions present at that time, and ensure that the project components appeared realistic in the view.

Photograph Stitching, 3D Model Views and Photomontages

Photograph stitching software (Photoshop) was used to stitch together the adjoining images. Topos R2 (43D) software was used to view the development from selected viewpoints in model format. A default viewer height of 2m above ground level was used for each viewpoint. Wireline model views were overlaid onto the pre-prepared 90° stitched photography in order to accurately render the project components into each view.

All views from viewpoints were represented using baseline photography showing the existing views, and fully rendered photomontages, illustrating the proposed components integrated into the baseline photography, in accordance with good practice guidance. The key development phases of the operational phase of the project were also illustrated using 3D model views (equivalent of wireline images) from a selection of viewpoints.

The presentation of fully rendered photomontages involved a number of additional stages. The Topos R2 (43D) software was used to accurately reproduce the geometry of the site and also take account of the sunlight conditions and the position of the sun in the sky at the time the photograph was taken. Fixed features on the ground were used as markers to help line up the image extracted from the ground model with the baseline photography. The final stage required the rendered development to be blended into the actual view. This was carried out using Photoshop software and allowed the proposed components to be located within the context of the existing elements that appeared in the baseline photography.

Each viewpoint is illustrated by the following; the original baseline photography from the viewpoint and a photomontage at a 90° angle of view. Although this arrangement is less than the

³⁸ Landscape Institute (2011) Advice Note 01/11: Photography and photomontage in landscape and visual impact assessment

recommended image height and viewing distances³⁹ set out by good practice guidance, the additional horizontal view information is included to provide context of the surrounding landscape. Additional images are also provided illustrating a 53.5° included angle of view. These are at image heights and viewing distances above the minimum recommended by good practice guidance.

3D model views are also included from a number of viewpoints (VP2, VP4, VP5 and VP7) illustrating key stages in the operational phase as the DSF increases in size (both horizontal and vertical extent).

³⁹ Viewing distance is the distance at which the image should be viewed to provide a representation of the 'real life view'.

Appendix 3

Residential Property Groups

Residential Property Groups		
Property ID	Property Name	Number of Properties
Residential Property Group A		
384	256 GORTICASHEL ROAD	1
412	258 GORTICASHEL ROAD	2
421	252 GORTICASHEL ROAD	3
Residential Property Group B		
186	332 CROCKANBOY ROAD	1
192	352 CROCKANBOY ROAD	2
212	342 CROCKANBOY ROAD	3
219	336 CROCKANBOY ROAD	4
271	346 CROCKANBOY ROAD	5
644	1 MULLYDOO ROAD	6
645	5 MULLYDOO ROAD	7
649	11 MULLYDOO ROAD	8
650	25 MULLYDOO ROAD	9
653	21 MULLYDOO ROAD	10
654	19 MULLYDOO ROAD	11
655	23 MULLYDOO ROAD	12
656	32 MULLYDOO ROAD	13
657	7 MULLYDOO ROAD	14
658	15 MULLYDOO ROAD	15
659	9 MULLYDOO ROAD	16
660	30 MULLYDOO ROAD	17
661	20 MULLYDOO ROAD	18
91	3 BLACKBOG ROAD	19
173	357 CROCKANBOY ROAD	20
183	353 CROCKANBOY ROAD	21
190	347 CROCKANBOY ROAD	22
201	345 CROCKANBOY ROAD	23
217	349 CROCKANBOY ROAD	24
223	368 CROCKANBOY ROAD	25
255	370 CROCKANBOY ROAD	26
277	339 CROCKANBOY ROAD	27
287	347A CROCKANBOY ROAD	28
288	364 CROCKANBOY ROAD	29
290	351 CROCKANBOY ROAD	23
171	384 CROCKANBOY ROAD	31
195	390A CROCKANBOY ROAD	32
196	380 CROCKANBOY ROAD	33
229	381 CROCKANBOY ROAD	34
244	382 CROCKANBOY ROAD	35
249	386 CROCKANBOY ROAD	36

Residential Property Groups			
264	388	CROCKANBOY ROAD	37
270	390	CROCKANBOY ROAD	38
493	52	LEAGHAN ROAD	39
500	40A	LEAGHAN ROAD	40
508	36	LEAGHAN ROAD	41
509	45	LEAGHAN ROAD	42
510	44	LEAGHAN ROAD	43
Residential Property Group C			
172	276	CROCKANBOY ROAD	1
226	286	CROCKANBOY ROAD	2
430	156	GREENCASTLE ROAD	3
435	166	GREENCASTLE ROAD	4
442	146	GREENCASTLE ROAD	5
449	148	GREENCASTLE ROAD	6
451	162	GREENCASTLE ROAD	7
460	166B	GREENCASTLE ROAD	8
470	164	GREENCASTLE ROAD	9
474	158A	GREENCASTLE ROAD	10
476	158	GREENCASTLE ROAD	11
485	147	GREENCASTLE ROAD	12
Residential Property Group D			
485	147	GREENCASTLE ROAD	1
176	271	CROCKANBOY ROAD	2
235	285	CROCKANBOY ROAD	3
239	291	CROCKANBOY ROAD	4
286	299	CROCKANBOY ROAD	5
296	297	CROCKANBOY ROAD	6
427	134	GREENCASTLE ROAD	7
433	110	GREENCASTLE ROAD	8
439	115	GREENCASTLE ROAD	9
441	132	GREENCASTLE ROAD	10
448	125	GREENCASTLE ROAD	11
453	112	GREENCASTLE ROAD	12
457	119	GREENCASTLE ROAD	13
466	140	GREENCASTLE ROAD	14
472	133	GREENCASTLE ROAD	15
570	7	MARYVILLE	16
573	39	MARYVILLE	17
575	40	MARYVILLE	18
577	3	MARYVILLE	19

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Residential Property Groups			
578	35	MARYVILLE	20
580	20	MARYVILLE	21
582	1	MARYVILLE	22
583	43	MARYVILLE	23
584	23	MARYVILLE	24
585	34	MARYVILLE	25
586	5	MARYVILLE	26
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707	27	SHEKINSHULE VIEW	79
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Residential Property Group E			
9	240	CROCKANBOY ROAD	1
163	250	CROCKANBOY ROAD	2
168	204	CROCKANBOY ROAD	3
178	208	CROCKANBOY ROAD	4
194	216A	CROCKANBOY ROAD	5
214	219	CROCKANBOY ROAD	6
222	210	CROCKANBOY ROAD	7
225	216	CROCKANBOY ROAD	8
240	240	CROCKANBOY ROAD	9
263	252	CROCKANBOY ROAD	10
266	200	CROCKANBOY ROAD	11
269	184	CROCKANBOY ROAD	12
282	212	CROCKANBOY ROAD	13
283	234	CROCKANBOY ROAD	14
Residential Property Group F			
1	217	CROCKANBOY ROAD	1

Residential Property Groups			
161	217	CROCKANBOY ROAD	2
162	235B	CROCKANBOY ROAD	3
203	197	CROCKANBOY ROAD	4
215	209	CROCKANBOY ROAD	5
224	231- 233	CROCKANBOY ROAD	6
234	235A	CROCKANBOY ROAD	7
243	235	CROCKANBOY ROAD	8
246	255	CROCKANBOY ROAD	9
252	213	CROCKANBOY ROAD	10
260	207	CROCKANBOY ROAD	11
274	231	CROCKANBOY ROAD	12
276	225	CROCKANBOY ROAD	13
662	11	POLLANROE ROAD	14
665	9	POLLANROE ROAD	15
666	7	POLLANROE ROAD	16
670	21	POLLANROE ROAD	17
Residential Property Group G			
141	39	CASHEL ROAD	1
142	56	CASHEL ROAD	2
148	48	CASHEL ROAD	3
152	41	CASHEL ROAD	4
153	50	CASHEL ROAD	5
154	46	CASHEL ROAD	6
160	41A	CASHEL ROAD	7
Residential Property Group H			
11	44	AGHABOY ROAD	1
12	23	AGHABOY ROAD	2
13	54	AGHABOY ROAD	3
14	46	AGHABOY ROAD	4
15	58	AGHABOY ROAD	5
16	60	AGHABOY ROAD	6
17	53	AGHABOY ROAD	7
19	50	AGHABOY ROAD	8
20	63	AGHABOY ROAD	9
23	65	AGHABOY ROAD	10
25	69	AGHABOY ROAD	11
27	72	AGHABOY ROAD	12
29	67	AGHABOY ROAD	13
31	56	AGHABOY ROAD	14
35	48	AGHABOY ROAD	15

Residential Property Groups			
36	70	AGHABOY ROAD	16
39	55	AGHABOY ROAD	17
41	64	AGHABOY ROAD	18
42	52	AGHABOY ROAD	19
67	31	AGHNAMIRIGAN ROAD	20
69	44	AGHNAMIRIGAN ROAD	21
72	29	AGHNAMIRIGAN ROAD	22
73	30	AGHNAMIRIGAN ROAD	23
74	37	AGHNAMIRIGAN ROAD	24
Residential Property Group I			
68	23	AGHNAMIRIGAN ROAD	1
316	36	FALLAGH ROAD	2
317	46	FALLAGH ROAD	3
319	38	FALLAGH ROAD	4
323	31	FALLAGH ROAD	5
327	50	FALLAGH ROAD	6
328	43	FALLAGH ROAD	7
351	66	GLENMACOFFER ROAD	8
514	94	LENAGH ROAD	9
515	109	LENAGH ROAD	10
521	92	LENAGH ROAD	11
527	107	LENAGH ROAD	25
541	84	LENAGH ROAD	12
543	100	LENAGH ROAD	13
545	86	LENAGH ROAD	14
Residential Property Group J			
143	25	CASHEL ROAD	1
144	35	CASHEL ROAD	2
145	10	CASHEL ROAD	3
149	37	CASHEL ROAD	4
150	27	CASHEL ROAD	5
151	30	CASHEL ROAD	6
155	9	CASHEL ROAD	7
156	22	CASHEL ROAD	8
157	4	CASHEL ROAD	9
158	24	CASHEL ROAD	10
159	11	CASHEL ROAD	11
431	83	GREENCASTLE ROAD	12
432	66	GREENCASTLE ROAD	13
436	68	GREENCASTLE ROAD	14
446	75	GREENCASTLE ROAD	15
456	72	GREENCASTLE ROAD	16

Residential Property Groups			
464	55	GREENCASTLE ROAD	17
467	79	GREENCASTLE ROAD	18
468	81	GREENCASTLE ROAD	19
469	64	GREENCASTLE ROAD	20
483	75A	GREENCASTLE ROAD	21
Residential Property Group K			
75	132	BARONY ROAD	1
76	110	BARONY ROAD	2
77	100	BARONY ROAD	3
78	106	BARONY ROAD	4
79	116	BARONY ROAD	5
81	130	BARONY ROAD	6
82	112	BARONY ROAD	7
84	108	BARONY ROAD	8
85	114	BARONY ROAD	9
86	118	BARONY ROAD	10
87	114A	BARONY ROAD	11
503	14	LEAGHAN ROAD	12
Residential Property Group L			
455	12	GREENCASTLE ROAD	1
458	34	GREENCASTLE ROAD	2
462	32	GREENCASTLE ROAD	3
465	36	GREENCASTLE ROAD	4
477	30	GREENCASTLE ROAD	5
486	70	INISCLAN ROAD	6
487	69	INISCLAN ROAD	7
488	61	INISCLAN ROAD	8
489	55	INISCLAN ROAD	9
490	51	INISCLAN ROAD	10
491	59	INISCLAN ROAD	11
Residential Property Group M			
18	36	AGHABOY ROAD	1
21	18	AGHABOY ROAD	2
22	38	AGHABOY ROAD	3
24	26	AGHABOY ROAD	4
26	24	AGHABOY ROAD	5
28	20A	AGHABOY ROAD	6
30	22	AGHABOY ROAD	7
32	24A	AGHABOY ROAD	8
33	35	AGHABOY ROAD	9
34	20	AGHABOY ROAD	10
37	28	AGHABOY ROAD	11

Residential Property Groups			
38	22A	AGHABOY ROAD	12
40	18A	AGHABOY ROAD	13
314	11	FALLAGH ROAD	14
315	7	FALLAGH ROAD	15
318	34	FALLAGH ROAD	16
320	21	FALLAGH ROAD	17
321	26	FALLAGH ROAD	18
322	27	FALLAGH ROAD	19
324	30	FALLAGH ROAD	20
325	28	FALLAGH ROAD	21
326	24	FALLAGH ROAD	22
Residential Property Group N			
512	78	LENAGH ROAD	1
523	55	LENAGH ROAD	2
534	67	LENAGH ROAD	3
535	59	LENAGH ROAD	4
536	71	LENAGH ROAD	5
538	53	LENAGH ROAD	6
540	63	LENAGH ROAD	7
544	69	LENAGH ROAD	8

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Appendix 4

Other Developments for Potential Consideration in Cumulative LVIA

Other Developments for potential consideration in Cumulative LVIA⁴⁰

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
<i>Developments within <5km radius of application site</i>					
1	Proposed dwelling and detached domestic garage (LA10/2016/1092/F)	Residential	Consented	400m to south	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
2	Dwelling with detached domestic garage (LA10/2016/1247/O)	Residential	Consented	3.0km to north, north-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
3	Proposed New Dwelling (LA10/2016/1260/F)	Residential	Consented	1.5km to south-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
4	Proposed agricultural machinery store (LA10/2017/0066/F)	Agricultural	Application submitted / Pending consideration	4.8km to north-west	Agricultural building located adjacent to existing agricultural buildings, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
5	Proposed dwelling and detached domestic garage (LA10/2016/0982/F)	Residential	Consented	490m to south	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
6	Proposed dwelling and detached domestic garage	Residential	Consented	440m to south	Residential dwelling located within existing pattern of scattered residential

⁴⁰ Information obtained by [REDACTED] from Planning NI and Planning Online 30th June 2017.

⁴¹ Existing/operational, consented, pending consideration/valid planning application submitted or refused.

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
	(LA10/2016/0533/F)				development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
7	Dwelling and domestic garage on a farm (LA10/2016/0357/RM)	Residential	Consented	2.4km to north-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
8	650m of new overhead line consisting of eight new wooden poles to supply a wind turbine (LA10/2016/0338/F)	Overhead powerline	Consented	1.35km to west, north-west	Intervisibility of proposed overhead line and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
9	Replacement dwelling and incorporated granny flat to rear of property (LA10/2016/0249/F)	Residential	Consented	2.25km to south-west	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
10	11kv overhead line to supply wind turbine (LA10/2015/0711/F)	Wind turbine	Consented	2.1km to north-west	Intervisibility of proposed overhead line and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
11	Derelict dwelling to be replaced with proposed new dwelling and garage (LA10/2015/0474/F)	Residential	Consented	3.1km to north-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
12	Proposed 2 no. dwellings, garages, private drive and associated site works (LA10/2015/0456/F)	Residential	Consented	1.3km to south-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects.

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
					Not considered further in CLVIA
13	Installation of a 15m high lattice tower with 6 antennas and 2 dishes. The development includes the installation of 6 equipment cabinets, ancillary development within 2.2m high fencing and new access lane. (LA10/2015/0449/F)	Antenna mast	Consented	315m to east	Intervisibility of proposed communication tower and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
14	Proposed dwelling and detached domestic garage (LA10/2015/0375/RM)	Residential	Consented	1km to east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
15	Alteration of 3 no. existing wind turbines approved, from 225kw on 30m towers to 250kw turbines on 50m towers (from ground level to hub) (LA10/2015/0369/F)	Wind turbines	Consented	1.5km to north-west	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
16	6 no. new dwellings (LA10/2015/0085/O)	Residential	Consented	1.4km to south-east	Residential dwellings located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
17	A single 250kw wind turbine with a turbine tower of 30m and a blade length of 16.5m (additional information submitted) (LA10/2015/0048/F)	Wind turbine	Appeal pending consideration (2016/A0089)	1.5km to east, south-east	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
18	Proposed dwelling and detached domestic garage (K/2015/0149/F)	Residential	Consented	1.5km to south-west	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects.

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
					Not considered further in CLVIA
19	Proposed site for infill dwelling (K/2015/0121/RM)	Residential	Consented	1km to north-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
20	Dwelling and garage (K/2015/0047/O)	Residential	Consented	815m to south	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
21	Amendment to increase turbine output from 50Kw to 250Kw, with an overall height of 54.5m, to supply farm and associated enterprises with excess sold to the grid (K/2014/0526/F)	Wind turbine	Consented	2.8km to south-east	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
22	Proposed dwelling and detached domestic garage (K/2014/0521/F)	Residential	Consented	825m to north-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
23	Proposed dwelling max ridge height 6.0m with 2 no front returns also side and rear returns (K/2014/0427/F)	Residential	Consented	1.9km to south-east	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
24	Erection of 3 No Dwellings, garages, future access Road and Associated site works (K/2014/0155/F)	Residential	Consented	1.1km to south-east	Residential dwellings located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects.

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
					Not considered further in CLVIA
25	Proposed dwelling max ridge height 6.5m with front rear and side returns and detached domestic garage (K/2013/0182/F)	Residential	Consented	1.3km to north	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
26	Erection of a domestic wind turbine with 13m blades on a 20m hub (K/2013/0062/F)	Residential	Consented	60m to west, south-west	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
27	New dwelling (single storey at front, two storey at rear) and domestic garage, retention of access. (K/2012/0615/F)	Residential	Consented	980m to south	Residential dwelling located within existing pattern of scattered residential development, and unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
28	Proposed erection of a 31m hub height Vestas V27 225 kW wind turbine to serve farm and export surplus to the grid (K/2012/0170/F)	Wind turbine	Consented	1.5km to west, north-west	Intervisibility of proposed wind turbines and Curraghinalt Project possible. Potential cumulative effects on the Sperrin AONB. Considered in CLVIA
29	Extensions and internal alterations to Greencastle GAA club rooms/community centre (LA10/2017/0395/F)	Community development	Application submitted / Pending consideration	1.4km to east, south-east	New developments to include educational space, new changing rooms, new gym, performance rooms, viewing gallery and general redevelopment of existing rooms for community use. Unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
30	Renovation of dwelling and change of use to self-catering accommodation for holiday lets (LA10/2017/0291/F)	Residential	Application submitted / Pending consideration	2.2km to south-east	Will not result in additional significant landscape and/or visual effects. Not considered further in CLVIA

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
31	Retention of 2 no. farm storage sheds (LA10/2017/0608/F)	Residential	Application submitted / Pending consideration	2.1km to north-west	Unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
32	Proposed erection of 4no. two storey dwellings with associated treatment plant and access road (LA10/2017/0574/F)	Residential	Application submitted / Pending consideration	2.5km to west, north-west	Unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
33	Dwelling and garage (Farm dwelling) (LA10/2017/0210/O - <i>Renewal of K/2012/0431/O</i>)	Residential	Application submitted / Pending consideration		Unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
34	Proposed dwelling, max ridge height 6.5m, with detached domestic garage (K/2012/0141/RM)	Residential	Consented (Now expired)		Unlikely to result in additional significant landscape and/or visual effects. Not considered further in CLVIA
Developments within <15km radius of application site					
1	Crockdun (K/2006/0074/F)	Wind farm	Consented	6.4km to south-east	Intervisibility of proposed wind farm (5 turbines of 100m to blade tip height) and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
2	Doraville (LA10/2015/0292/F)	Wind farm	Application submitted / Pending consideration	11.7km to north-east	Intervisibility of proposed 33 turbine wind farm (turbines of 136m – 149m to blade tip height) and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
3	Cregganconroe (K/2006/0242/F)	Wind farm	Consented	11.8km to south-east	Intervisibility of proposed wind farm (5 turbines of 125m to blade tip height) and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA

No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
4	Beltonanean (5 turbines, 126.5m to blade tip height) (I/2014/0413/F)	Wind farm	Application submitted / Pending consideration	11.8km to east	Intervisibility of proposed wind farm and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA
5	Beltonanean (1 turbine, 92.5m to blade tip height) (LA09/2017/0272/F)		Consented		
	Beltonanean (1 turbine, 92.5m to blade tip height) (I/2014/0399/F)		Appeal Pending consideration		
	Proposed 60m high temporary lattice anemometer mast, use of existing entrance and access track (I/2012/0414/F)		Consented		
6	Article 28 application to vary condition No.6 (external storage) and Condition No.20 (hours of operation) of planning approval K/2008/0997/F. Proposed amendment to allow for the production of RDF/SRF (Refuse Derived Fuel and Specified Recovered fuel) from suitable waste streams within the approved Integrated Waste Management Facility (K/2014/0106/F)	Mineral extraction	Consented	5.3km to south	Minor variations in existing consent and proposed operations of mineral extraction site unlikely to result in additional landscape and visual effects. Not considered further in CLVIA
	Proposed amendment to planning approval K/2008/0997/F to include retention of existing weighbridges, weighbridge office, storage areas, bunded fuel tank and quarantine area. Proposed relocation of wheel wash approved under reference K/2008/0997/F. Proposed external canopy for temporary storage of baled plastic and metal prior to dispatch. (K/2013/0247/F)	Mineral extraction	Consented	5.3km to south	Minor variations in existing consent and proposed operations of mineral extraction site unlikely to result in additional landscape and visual effects. Not considered further in CLVIA

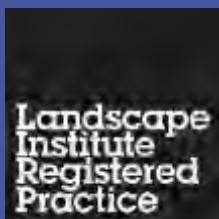
No.	Proposal description & Planning Application Reference	Development type	Status ⁴¹	Approx. distance from Curraghinalt Project	Review of cumulative landscape and/or visual effects
7	Proposed shale mineral extraction associated storage phased restoration concrete batching plant and associated storage silos (I/2012/0446/F)	Mineral extraction	Consented	8.8km to south-east	Intervisibility of mineral extraction proposal and Curraghinalt Project possible. Cumulative landscape and visual effects likely. Considered in CLVIA
8	Extension of existing mineral extraction site (K/2015/0143/F)	Mineral extraction	Consented	11.2km to south	Intervisibility of mineral extraction proposal and Curraghinalt Project possible. Cumulative landscape and visual effects likely. Considered in CLVIA
9	Retrospective extraction of sand and gravel (1.2ha) and proposed restoration (4ha) by way of infilling with inert material, including inert waste to return the land to agricultural use. (K/2013/0507/F)	Mineral extraction	Consented	9.4km to south-east	Intervisibility of mineral extraction proposal and Curraghinalt Project possible. Cumulative landscape and visual effects likely. Considered in CLVIA
10	Proposed Barony Road Wind Energy Project comprising 4 turbines of 126.5m to blade tip height. (LA10/2015/0283/F)	Wind farm	Appeal pending consideration	5.3km to the south, south-west	Intervisibility of proposed Barony Road Wind Energy Project and Curraghinalt Project possible. Potential cumulative landscape and/or visual effects on the Sperrin AONB. Considered in CLVIA

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Curraghinalt Project County Tyrone

Prepared for Dalradian Gold Limited

Environmental Statement - Volume 3

**C16 Landscape and Visual Impact
Assessment and Visualisations**

November 2017

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**Landscape & Visual Impact Assessment (LVIA)
for the Curraghinalt Project, County Tyrone,
Northern Ireland**

Volume II: Figures & Visualisations

Prepared for Dalradian Gold Limited
October 2017



Project Title: Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Client: Prepared for Dalradian Gold Limited

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Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Volume II: Figures & Visualisations

Prepared for Dalradian Gold Limited.

October 2017



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Figure 6.4a Regional Landscape Character Areas, Designated Landscapes & ZTV (15km Study Area)

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Figure 6.5a Local Landscape Character Areas, Designated Landscapes & ZTV (15km Study Area)

Figure 6.6 Viewpoint Locations & ZTV (15km Study Area)

Figure 6.7 Residential Property Groups & ZTV (3km of Proposed Project)

Figure 6.8 Sequential Routes & ZTV (15km Study Area)

Figure 6.9 Other Developments considered in Cumulative LVIA (15km Study Area)

Visualisations

Figure 9.1 Viewpoint 1: Farmsteads off Crockanboy Road

Figure 9.1a 90° Baseline photograph & 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.1b 90° Photomontage – Removal of componentry and post closure of DSF

Figure 9.1c 53.5° Baseline photograph

Figure 9.1d 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.1e 53.5° Photomontage – Removal of componentry and post closure of DSF

Figure 9.2 Viewpoint 2: Mullydoo Road

Figure 9.2a 90° Baseline photograph & 90° 3D Model View – DSF at Year 5 and proposed site componentry

Figure 9.2b 90° 3D Model View – DSF at Year 11 and proposed site componentry & 90° 3D Model View – Full Extent DSF at Year 20 and proposed site componentry

Figure 9.2c 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown) & 90° Photomontage – Removal of componentry and post closure of DSF

Figure 9.2d 53.5° Baseline photograph

Figure 9.2e 53.5° 3D Model View – DSF at Year 5 and proposed site componentry

Figure 9.2f 53.5° 3D Model View – DSF at Year 11 and proposed site componentry

Figure 9.2g 53.5° 3D Model View – DSF at Year 20 and proposed site componentry

Figure 9.2h 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.2i 53.5° Photomontage – Removal of componentry and post closure of DSF

Figure 9.3 Viewpoint 3: Crockanboy Road (B46)

Figure 9.3a 90° Baseline photograph & 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.3b 90° Photomontage – Removal of componentry and post closure of DSF

Figure 9.3c 53.5° Baseline photograph

Figure 9.3d 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.3e 53.5° Photomontage – Removal of componentry and post closure of DSF

Figure 9.4 Viewpoint 4: Aghaboy Road - South of site

Figure 9.4a 90° Baseline photograph & 90° 3D Model View – DSF at Year 5 and proposed site componentry

Figure 9.4b 90° 3D Model View – DSF at Year 11 and proposed site componentry & 90° 3D Model View – Full Extent DSF at Year 20 and proposed site componentry

Figure 9.4c 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.4d 53.5° Baseline photograph

Figure 9.4e 53.5° 3D Model View – DSF at Year 5 and proposed site componentry

Figure 9.4f 53.5° 3D Model View – DSF at Year 11 and proposed site componentry

Figure 9.4g 53.5° 3D Model View – DSF at Year 20 and proposed site componentry

Figure 9.4h 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.5 Viewpoint 5: Greencastle Road

- Figure 9.5a 90° Baseline photograph & 90° 3D Model View – DSF at Year 5 and proposed site componentry
- Figure 9.5b 90° 3D Model View – DSF at Year 11 and proposed site componentry & 90° 3D Model View – Full Extent DSF at Year 20 and proposed site componentry
- Figure 9.5c 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)
- Figure 9.5d 53.5° Baseline photograph
- Figure 9.5e 53.5° 3D Model View – DSF at Year 5 and proposed site componentry
- Figure 9.5f 53.5° 3D Model View – DSF at Year 11 and proposed site componentry
- Figure 9.5g 53.5° 3D Model View – DSF at Year 20 and proposed site componentry
- Figure 9.5h 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.6 Viewpoint 6: Cashel Rock

- Figure 9.6a 90° Baseline photograph & 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)
- Figure 9.6b 53.5° Baseline photograph
- Figure 9.6c 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.7 Viewpoint 7: Aghaboy Road – South-west of site

- Figure 9.7a 90° Baseline photograph & 90° 3D Model View – DSF at Year 5 and proposed site componentry
- Figure 9.7b 90° 3D Model View – DSF at Year 11 and proposed site componentry & 90° 3D Model View – Full Extent DSF at Year 20 and proposed site componentry
- Figure 9.7c 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown) & 90° Photomontage – Removal of componentry and post closure of DSF
- Figure 9.7d 53.5° Baseline photograph
- Figure 9.7e 53.5° 3D Model View – DSF at Year 5 and proposed site componentry
- Figure 9.7f 53.5° 3D Model View – DSF at Year 11 and proposed site componentry
- Figure 9.7g 53.5° 3D Model View – DSF at Year 20 and proposed site componentry
- Figure 9.7h 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)
- Figure 9.7i 53.5° Photomontage – Removal of componentry and post closure of DSF

Figure 9.8 Viewpoint 8: Barony Road (A505)

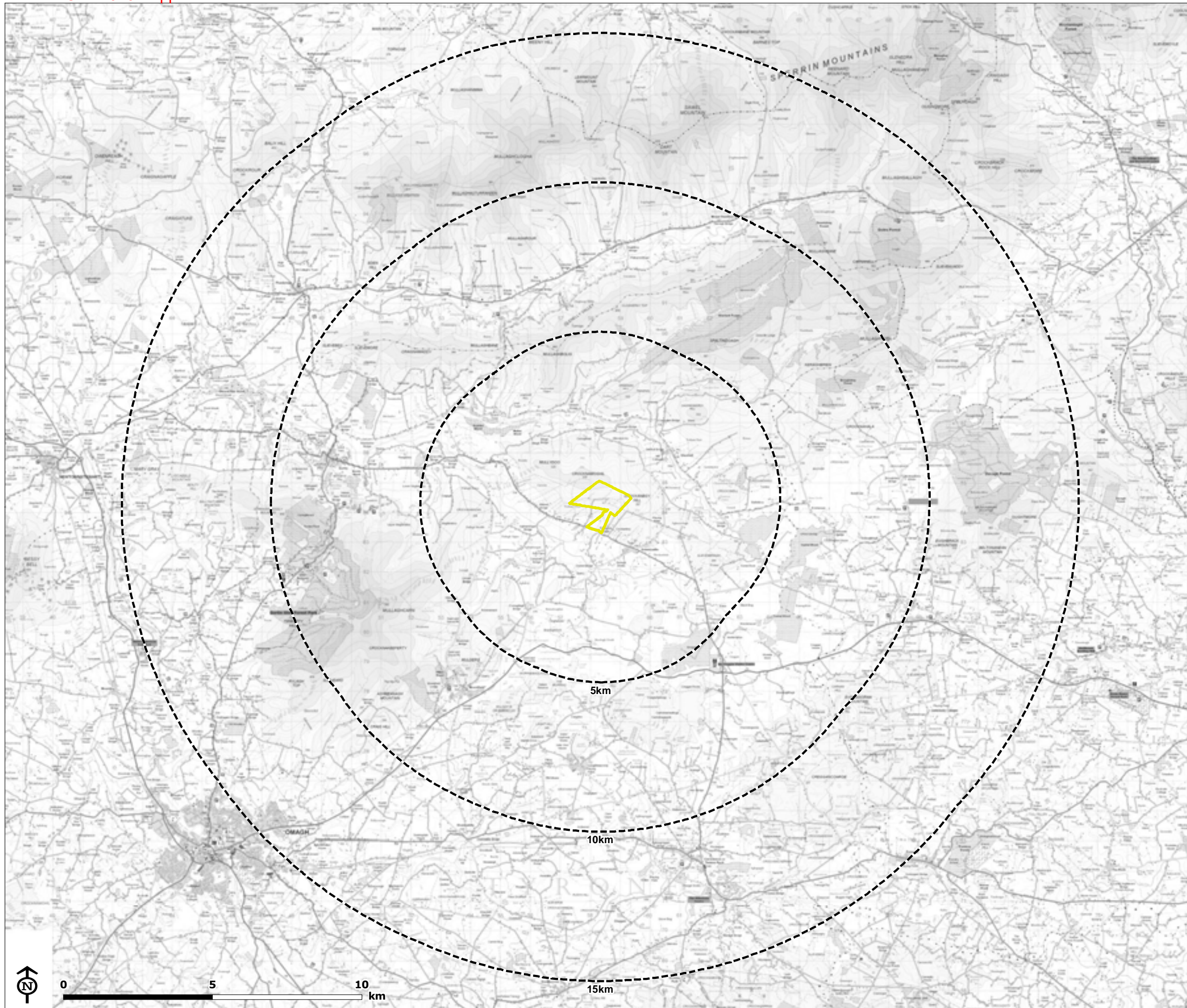
- Figure 9.8a 90° Baseline photograph & 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)
- Figure 9.8b 53.5° Baseline photograph
- Figure 9.8c 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figure 9.9 Viewpoint 9: Mullaghcarn

- Figure 9.9a 90° Baseline photograph & 90° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)
- Figure 9.9b 53.5° Baseline photograph
- Figure 9.9c 53.5° Photomontage – Full extent DSF at Year 20 and proposed site componentry (No Lighting shown)

Figures

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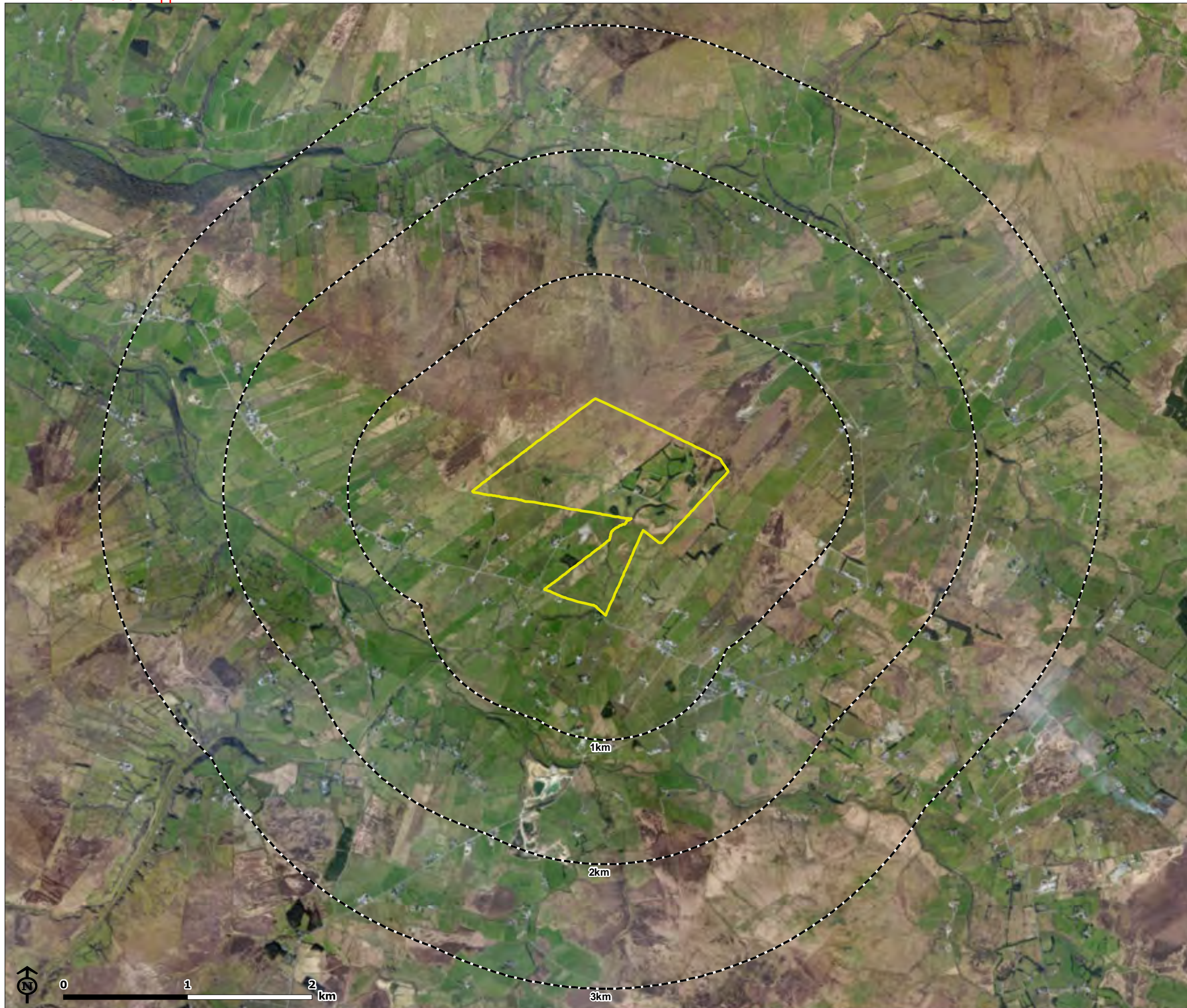
Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 1.1: Study Area and Proposed Project Site

- Study Area (15km)
- Proposed Infrastructure Site (Area A)



Map Scale @ A3: 1:125,000





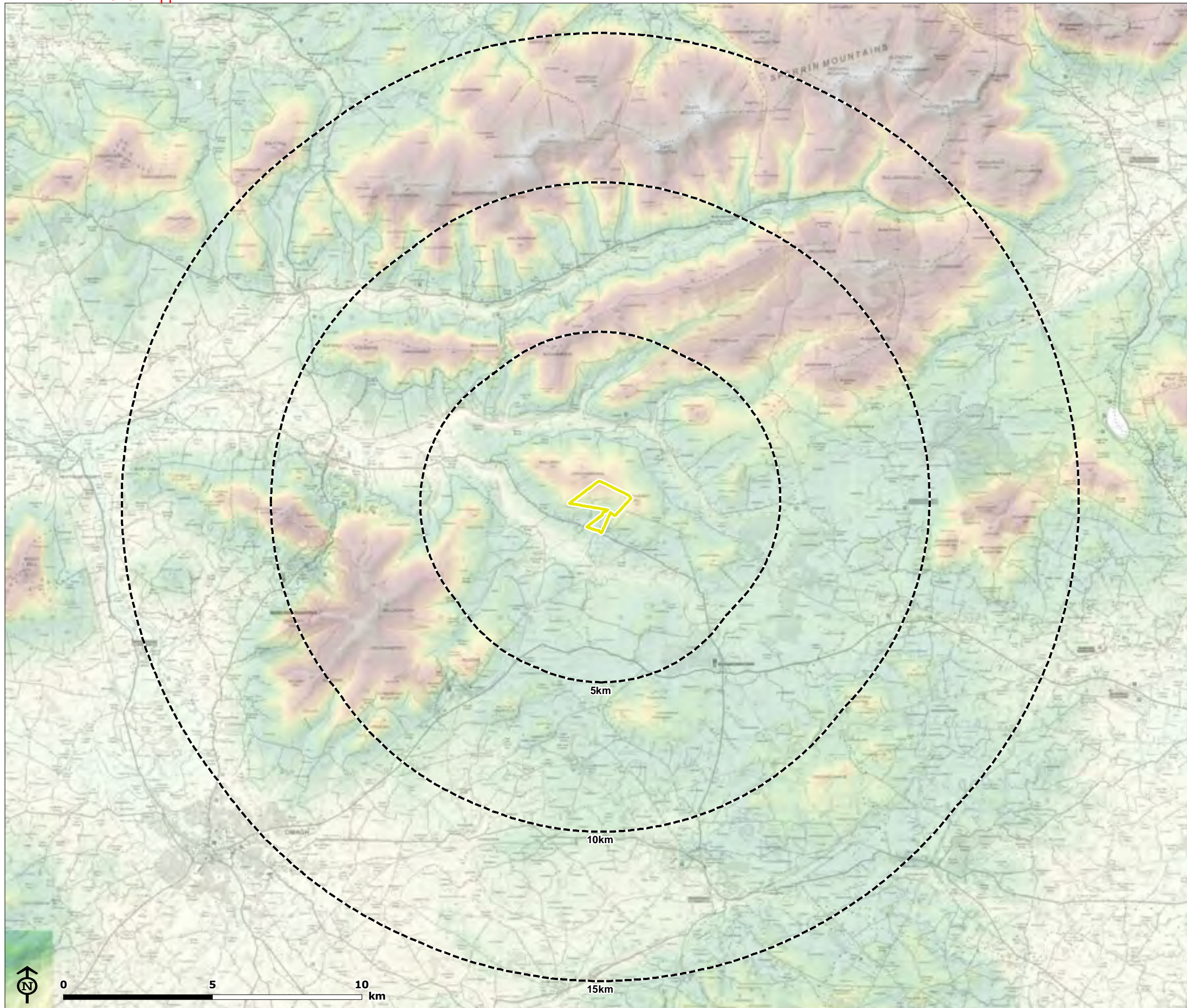
Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.1: Aerial Imagery

-  1km Intervals from Site
-  Proposed Infrastructure Site (Area A)

Map Scale @ A3: 1:30,000





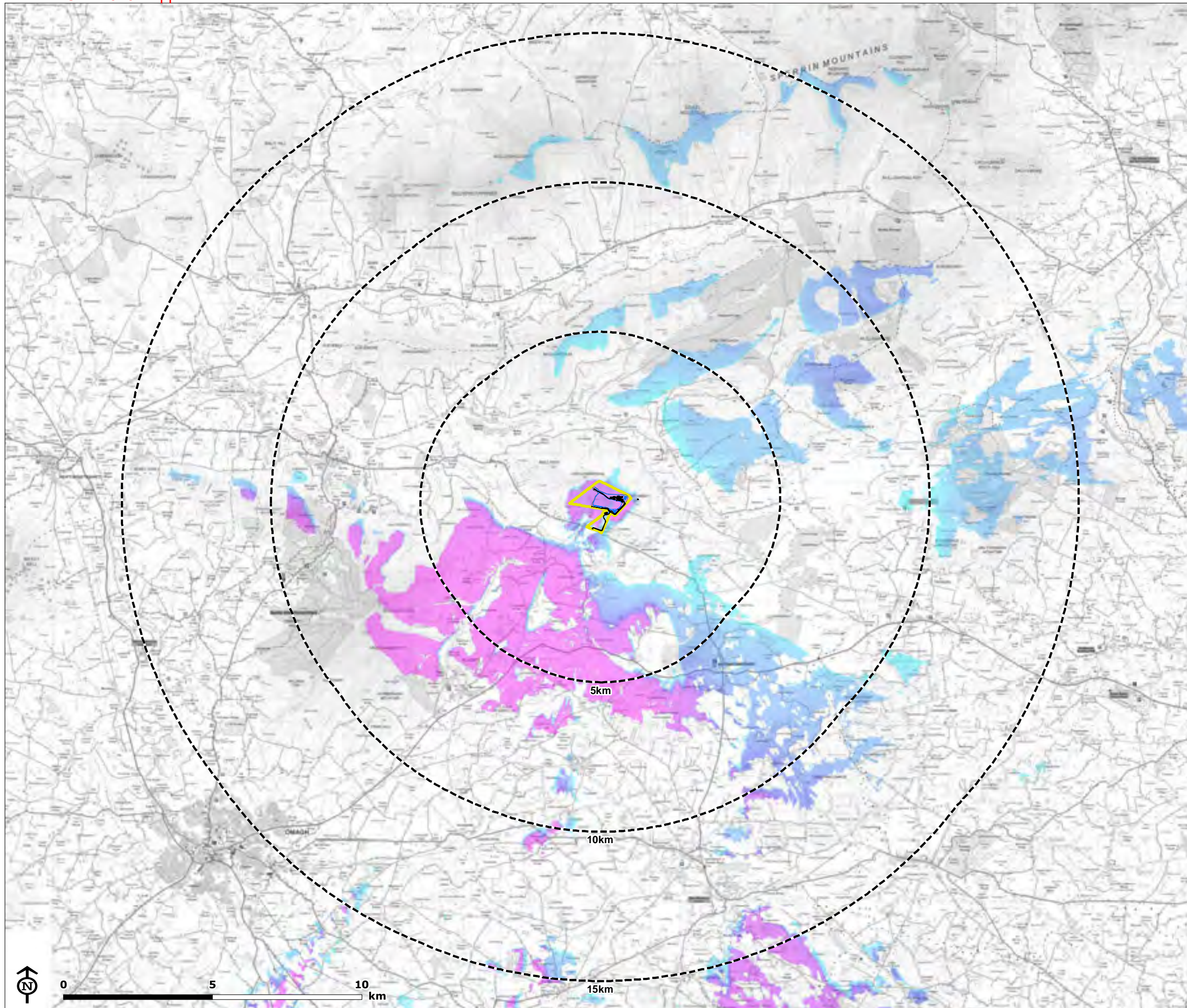
Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.2: Topography

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Elevation
 - High : 650
 - Low : 0

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.3a: Zone of Theoretical Visibility (ZTV) for Process Plant Buildings at Year 1 (15km Study Area)

- Study Area (15km)
 - Proposed Infrastructure Site (Area A)
 - Process Plant and Access
 - Pond
- Value**
- High : 43
 - Low : 0

Notes

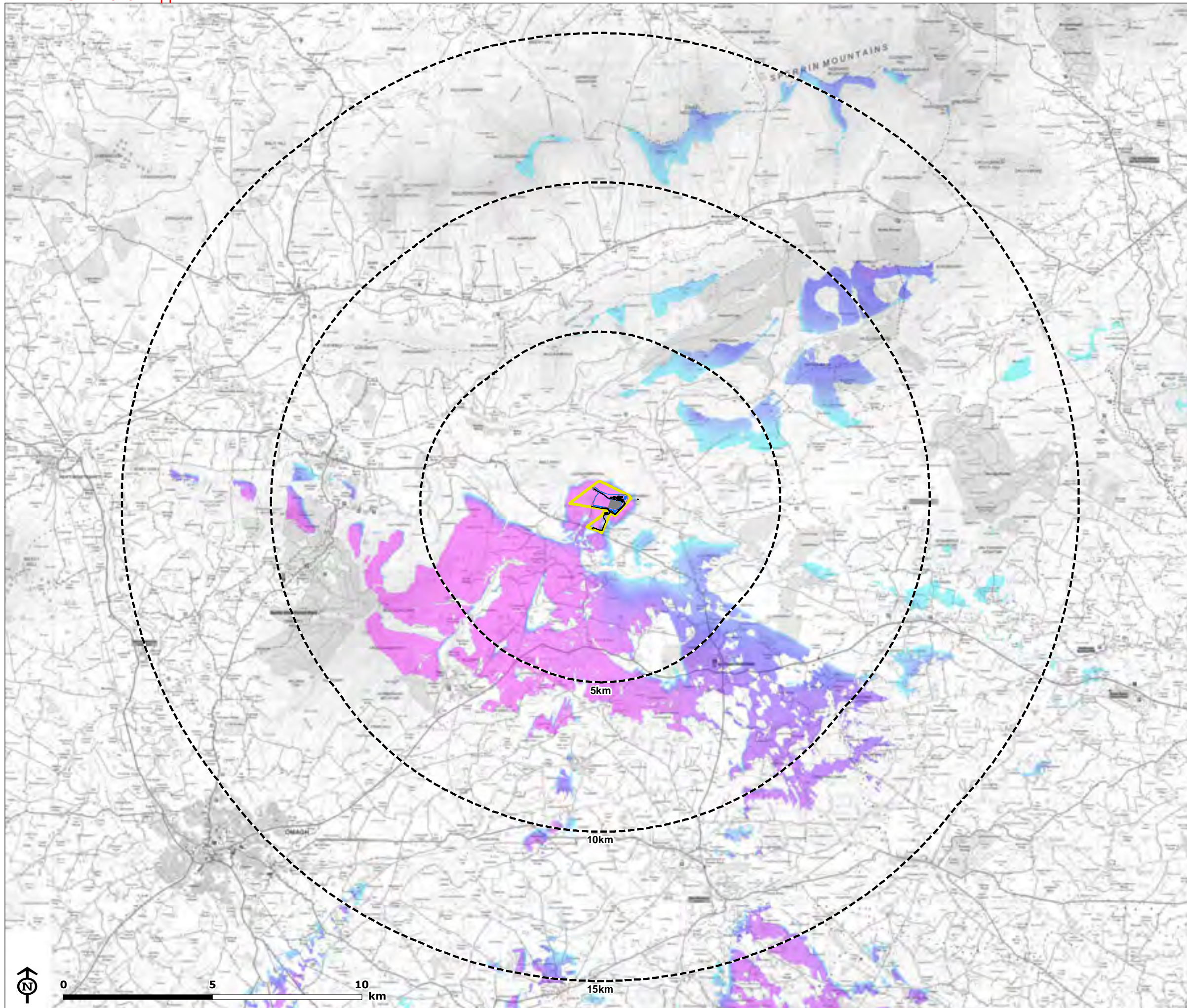
The ZTV is calculated to maximum vertical and horizontal extents of Process Plant Buildings from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.3b: Zone of Theoretical Visibility (ZTV) for DSF at Year 5 (15km Study Area)

- Study Area (15km)
 - Proposed Infrastructure Site (Area A)
 - Dry Stack Facility (DSF) at Year 5
 - Process Plant and Access
 - Pond
- Visibility of DSF at Year 5**
- More Visible
 - Less Visible

Notes

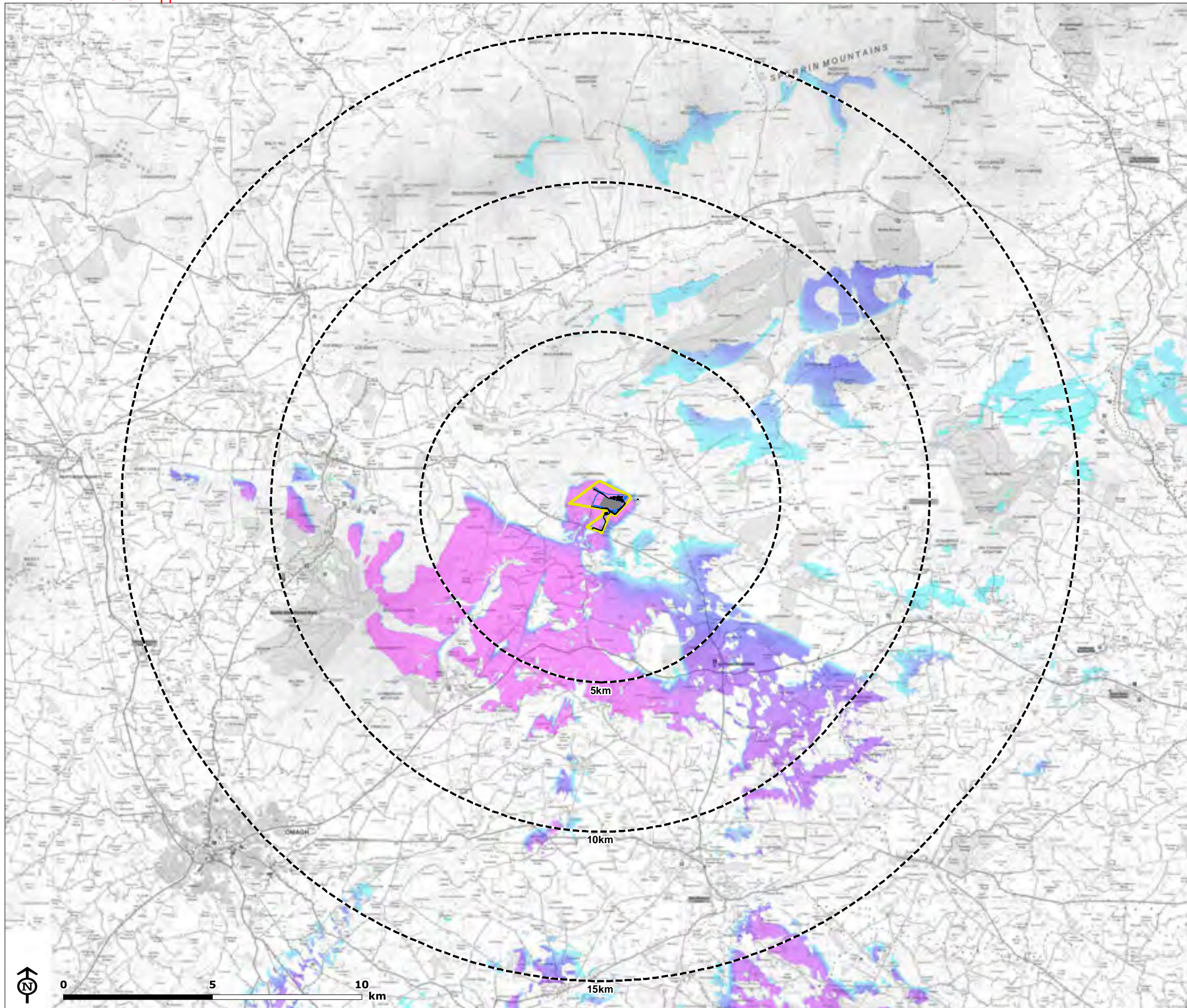
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.3c: Zone of Theoretical Visibility (ZTV) for DSF at Year 11 (15km Study Area)

- Study Area (15km)
 - Proposed Infrastructure Site (Area A)
 - Dry Stack Facility (DSF) at Year 11
 - Process Plant and Access
 - Pond
- Visibility of DSF at Year 11**
- More Visible
 - Less Visible

Notes

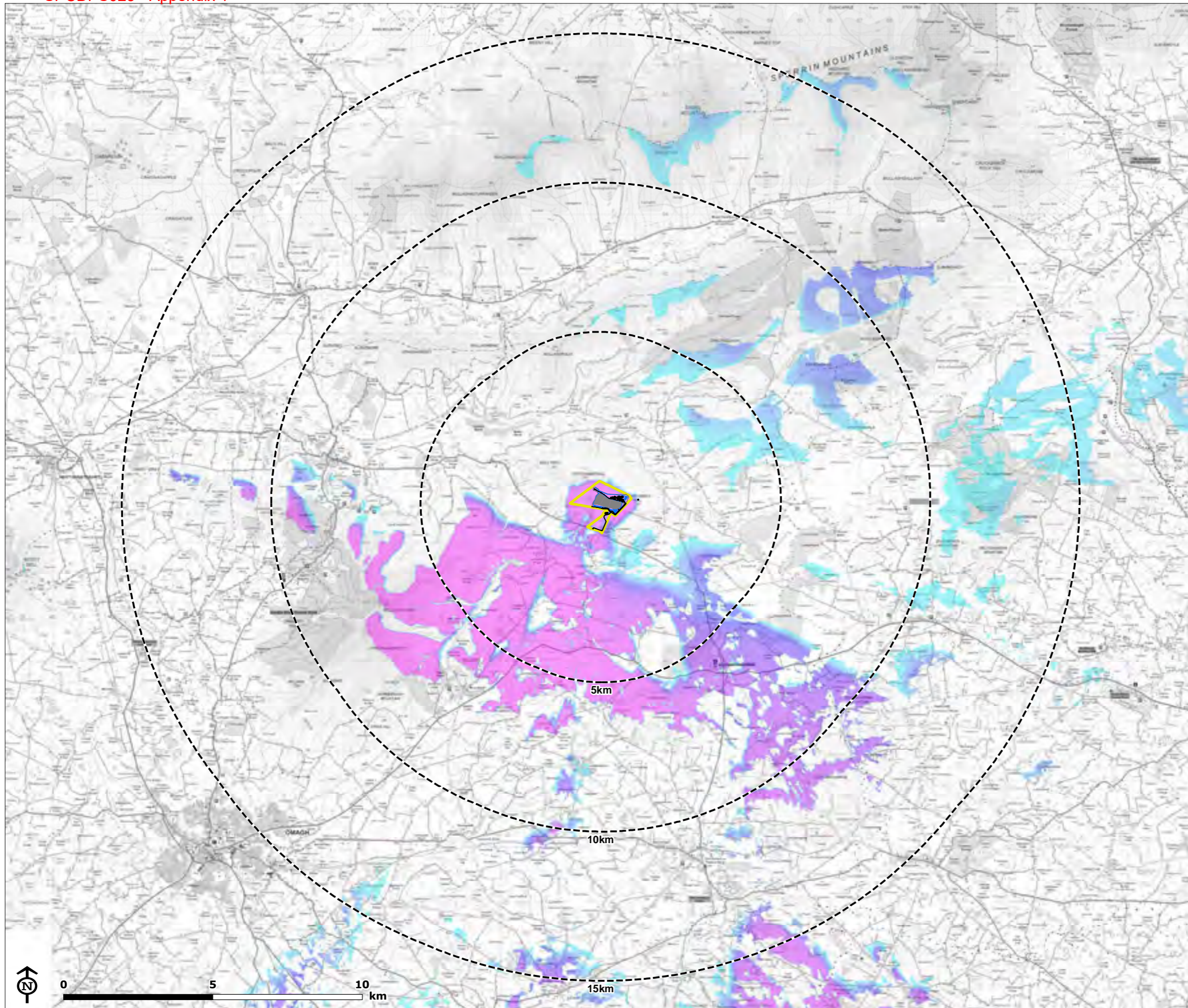
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.3d: Zone of Theoretical Visibility (ZTV) for DSF at Year 20 (15km Study Area)

- Study Area (15km)
 - Proposed Infrastructure Site (Area A)
 - Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
 - Process Plant and Access
 - Pond
- Visibility of DSF at Year 20 (Maximum Extent)**
- More Visible
 - Less Visible

Notes

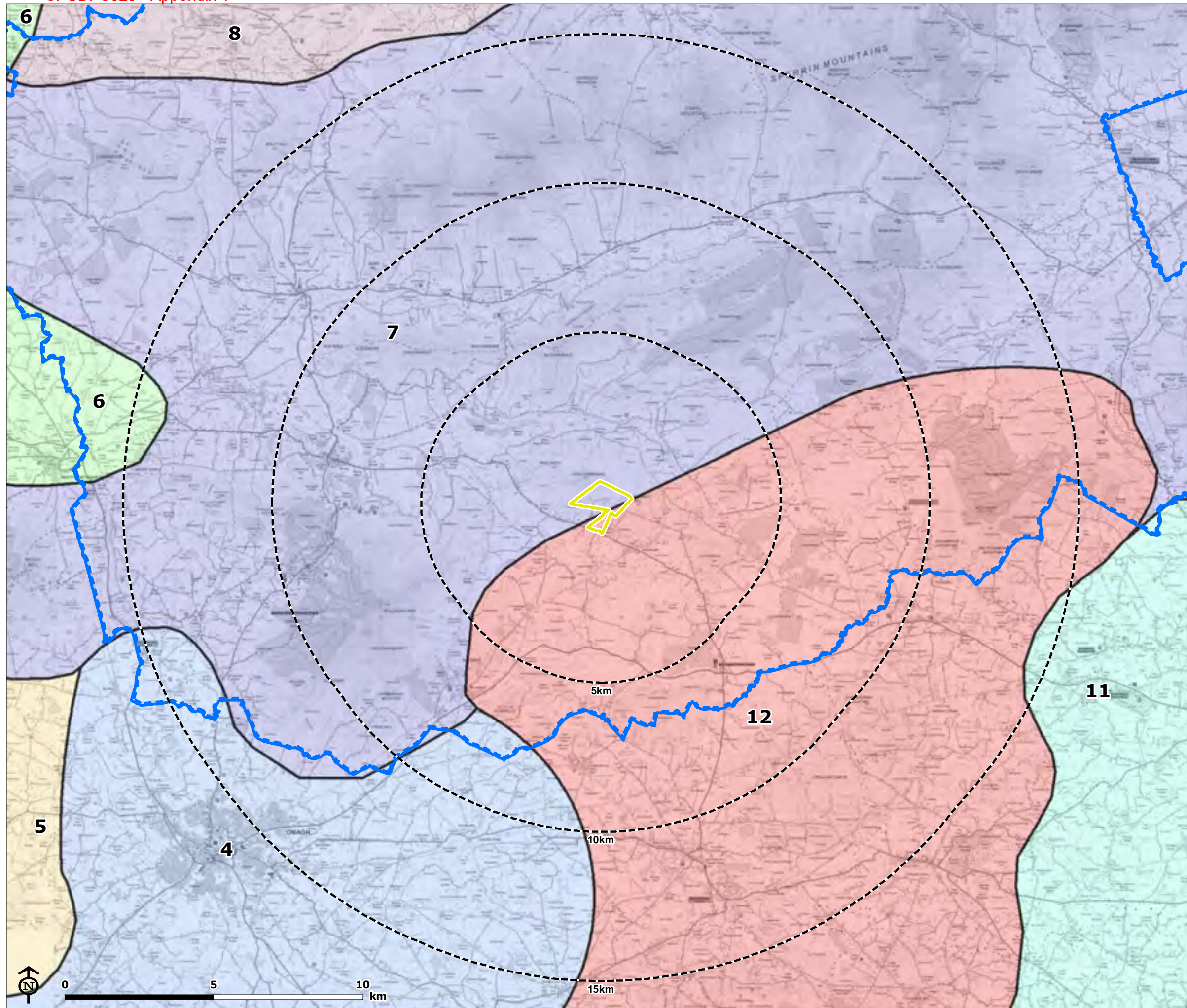
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

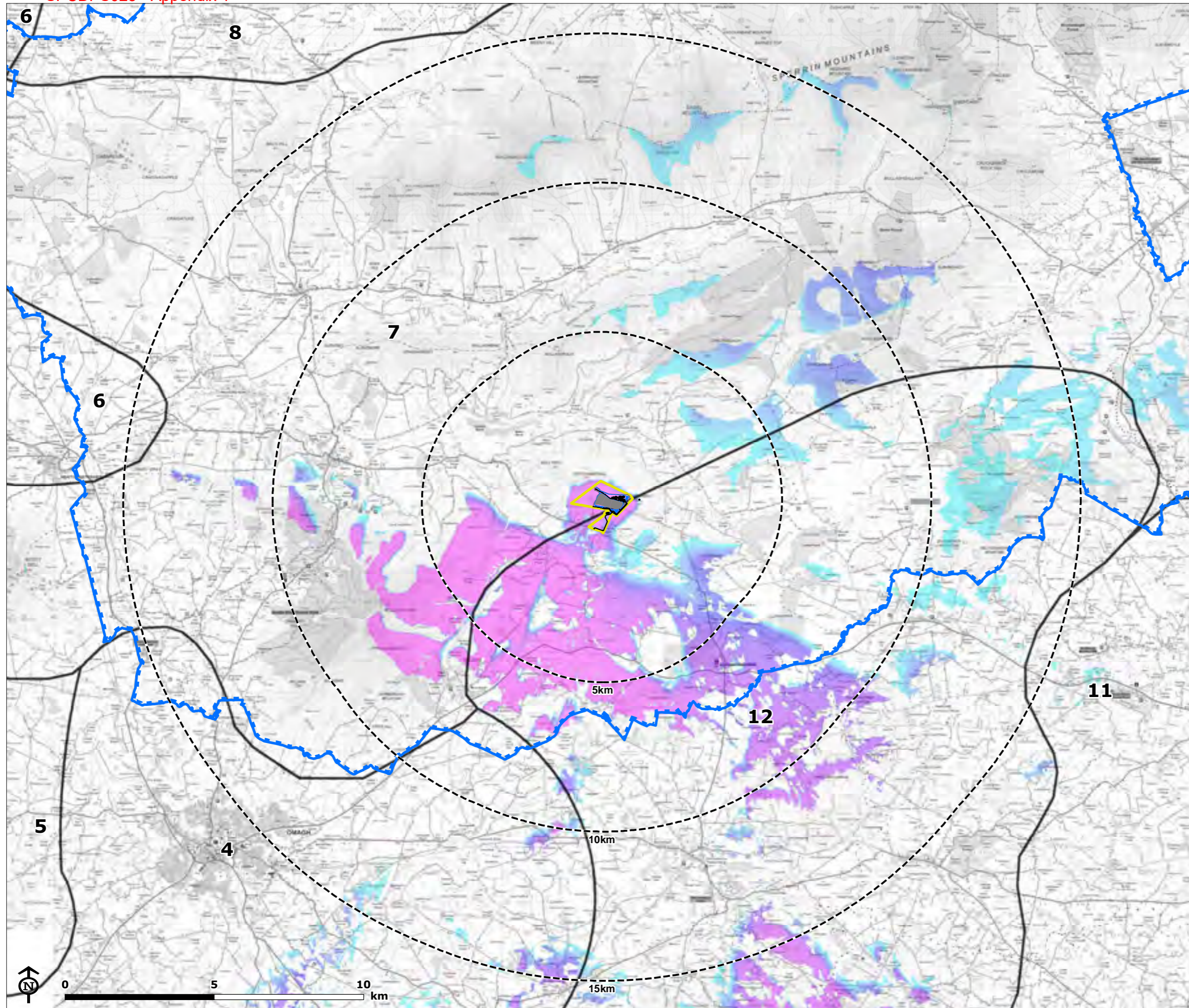
Figure 6.4: Regional Landscape Character Areas and Designated Landscapes

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Sperrin AONB
- Regional Landscape Character Areas****
 - 4 - Omagh Basin
 - 5 - West Tyrone Hills and Valleys
 - 6 - Foyle Valley
 - 7 - Sperrins
 - 8 - North Sperrin Hills and Valleys
 - 11 - West Lough Neagh Drumlins
 - 12 - Carrickmore Plateau and Pomeroy Hills

** Reference: Northern Ireland Regional Landscape Character Assessment (NIRLCA) (2015) LUC in association with Mullin Design Associates and Julie Martin Associates.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.4a: Regional Landscape Character Areas, Designated Landscapes and ZTV for DSF at Year 20 (15km Study Area)

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- Sperrin AONB
- Regional Landscape Character Areas**
 - 4 - Omagh Basin
 - 5 - West Tyrone Hills and Valleys
 - 6 - Foyle Valley
 - 7 - Sperrins
 - 8 - North Sperrin Hills and Valleys
 - 11 - West Lough Neagh Drumlins
 - 12 - Carrickmore Plateau and Pomeroy Hills

Visibility of DSF at Year 20 (Maximum Extent)

More Visible
Less Visible

Notes

The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

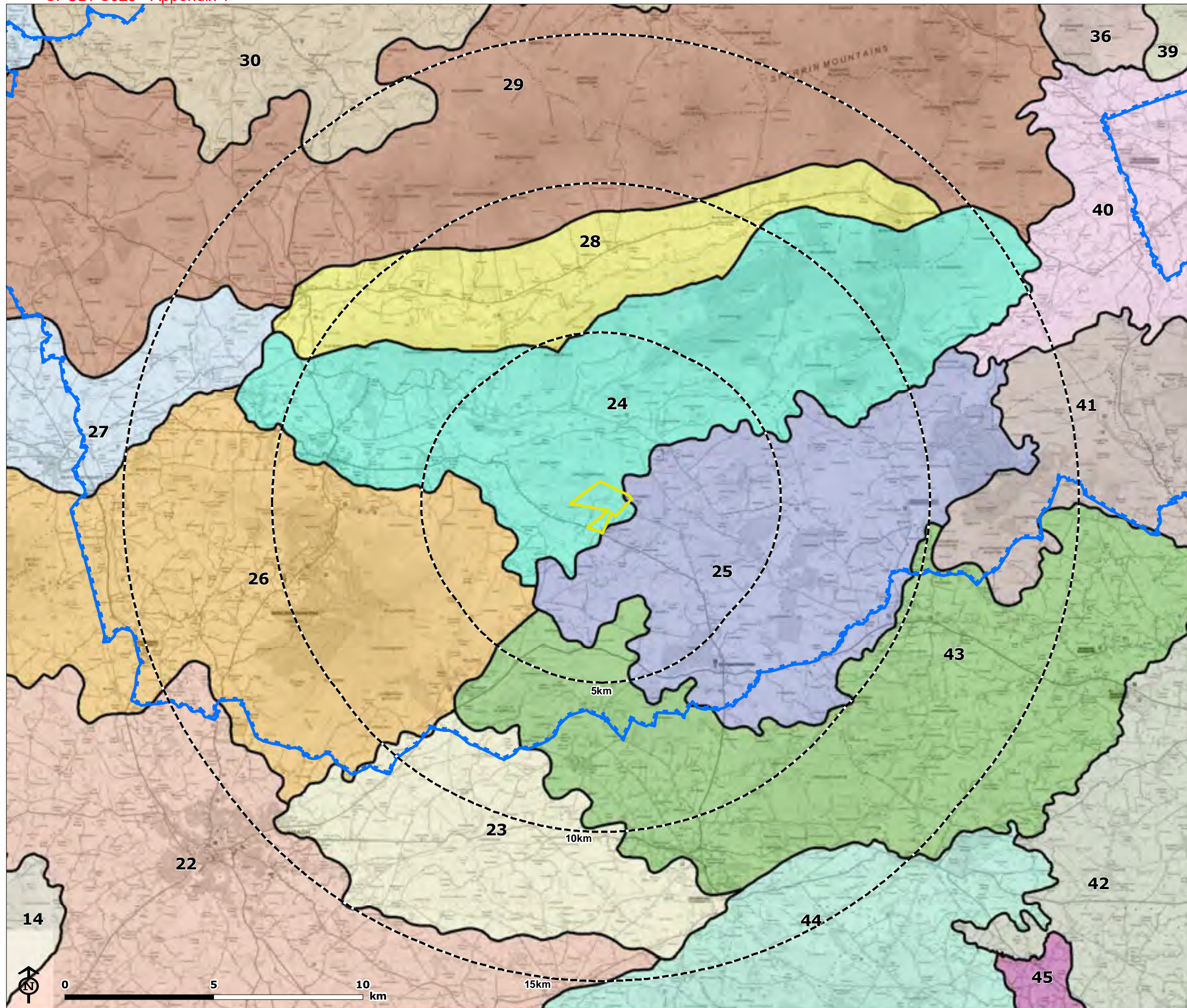
The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

** **Reference:** Northern Ireland Regional Landscape Character Assessment (NIRLCA) (2015) LUC in association with Mullin Design Associates and Julie Martin Associates.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.5: Local Landscape Character Areas and Designated Landscapes (15km Study Area)

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Sperrin AONB

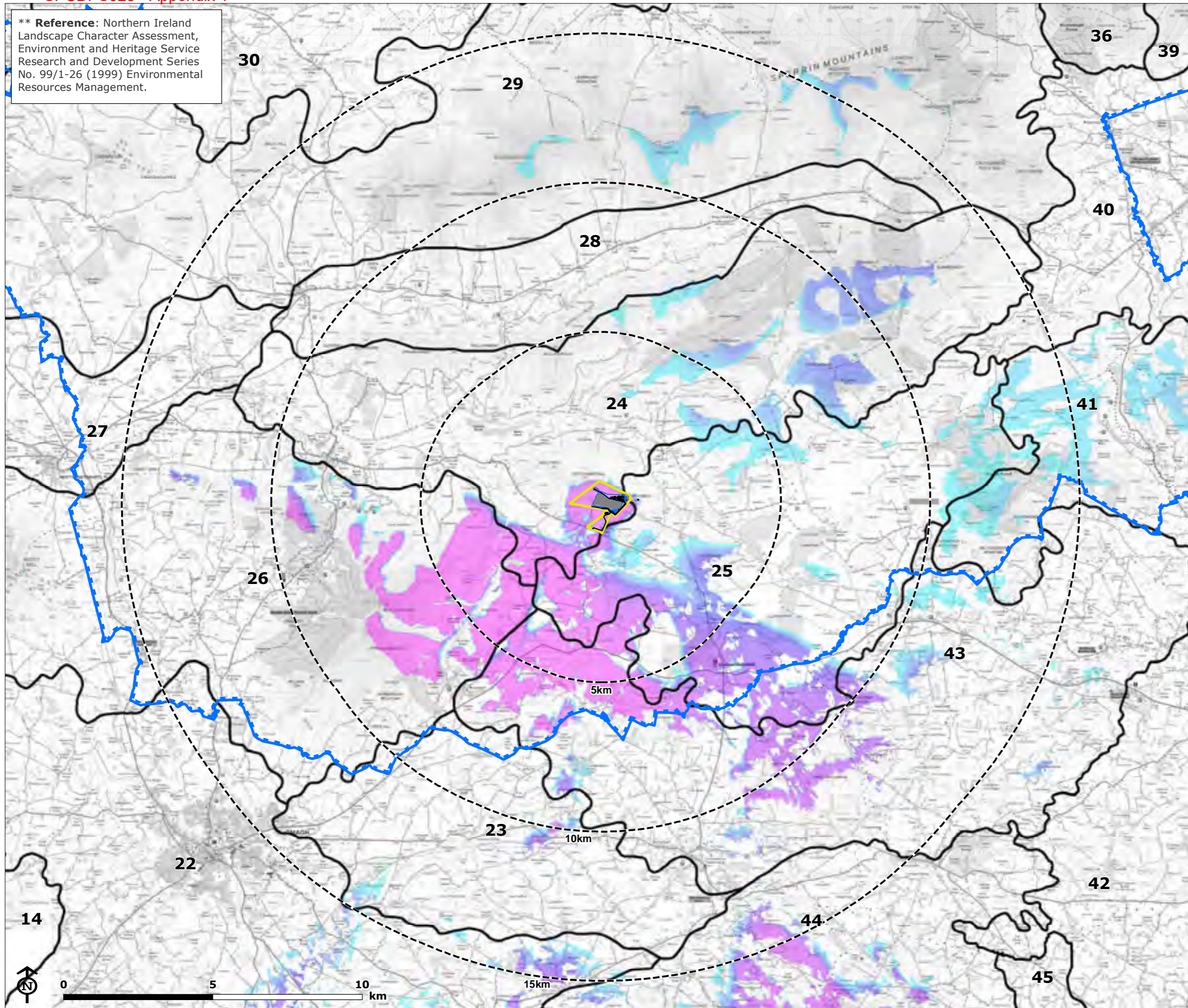
- Landscape Character Areas****
- 14 - Lough Bradan
 - 22 - Omagh Farmland
 - 23 - Camowen Valley
 - 24 - South Sperrin
 - 25 - Beaghmore Moors and Marsh
 - 26 - Bessy Bell and Gortin
 - 27 - Foyle Valley
 - 28 - Glenelly Valley
 - 29 - Sperrin Mountains
 - 30 - Sperrin Foothills
 - 36 - Binevenagh
 - 39 - Glenshane Slopes
 - 40 - Upper Moyola Valley
 - 41 - Slieve Gallion
 - 42 - Cookstown Farmlands
 - 43 - Carrickmore Hills
 - 44 - Slievemore
 - 45 - Dungannon Drumlins and Hills

** Reference: Northern Ireland Landscape Character Assessment, Environment and Heritage Service Research and Development Series No. 99/1-26 (1999) Environmental Resources Management.

Map Scale @ A3: 1:125,000



**** Reference:** Northern Ireland Landscape Character Assessment, Environment and Heritage Service Research and Development Series No. 99/1-26 (1999) Environmental Resources Management.



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.5a: Local Landscape Character Areas, Designated Landscapes and ZTV for DSF at Year 20 (15km Study Area)

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- Sperrin AONB
- Landscape Character Areas**

- 14 - Lough Bradan
- 22 - Omagh Farmland
- 23 - Camowen Valley
- 24 - South Sperrin
- 25 - Beaghmore Moors and Marsh
- 26 - Bessy Bell and Gortin
- 27 - Foyle Valley
- 28 - Glenelly Valley
- 29 - Sperrin Mountains
- 30 - Sperrin Foothills
- 36 - Binevenagh
- 39 - Glenshane Slopes
- 40 - Upper Moyola Valley
- 41 - Slieve Gallion
- 42 - Cookstown Farmlands
- 43 - Carrickmore Hills
- 44 - Slievemore
- 45 - Dungannon Drumlins and Hills

Visibility of DSF at Year 20 (Maximum Extent)

- More Visible
- Less Visible

Notes

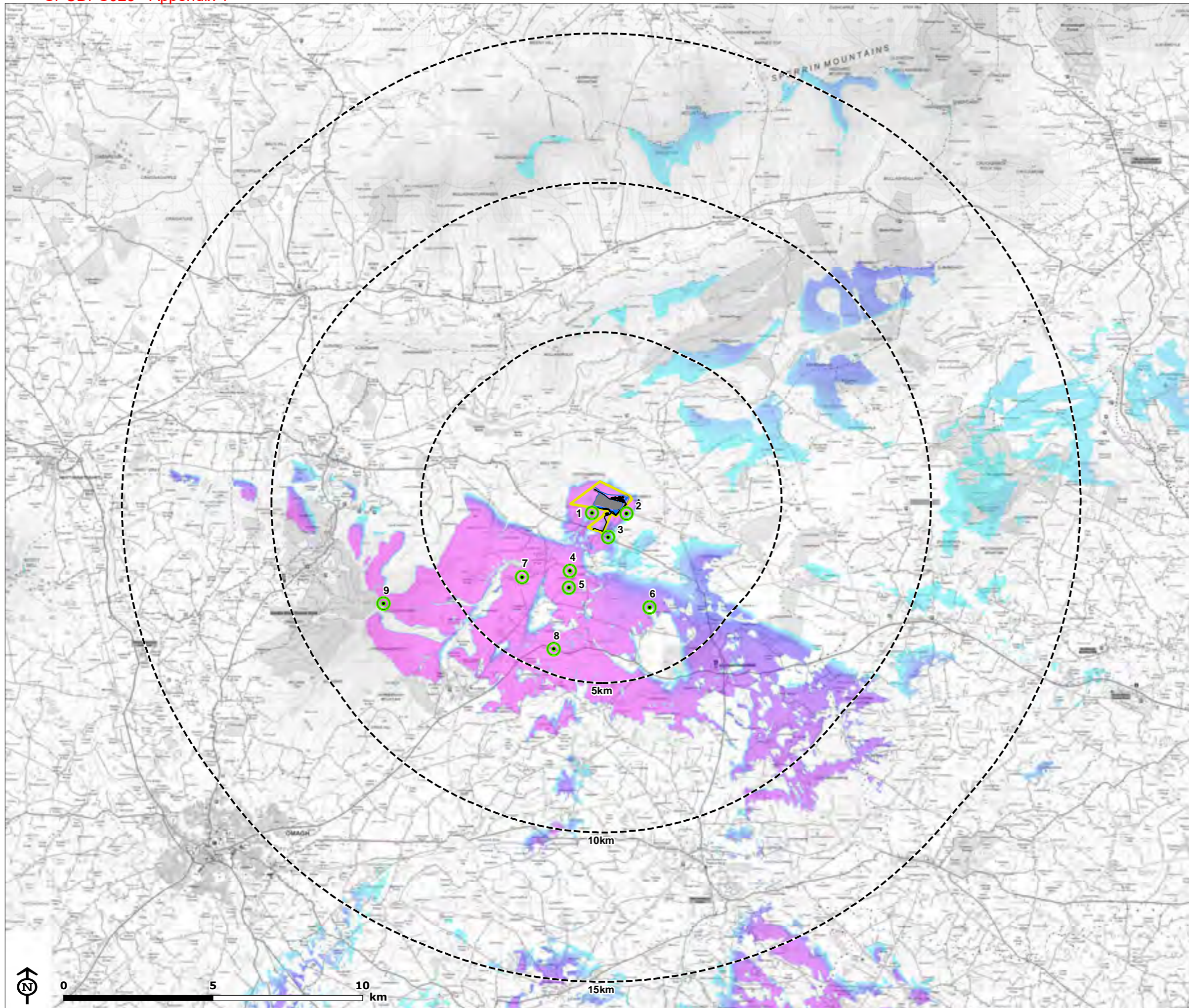
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000



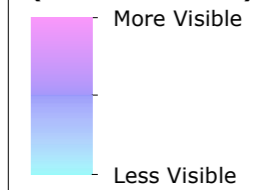


Landscape & Visual Impact Assessment (LVIA) for the Curraghinall Project, County Tyrone, Northern Ireland

Figure 6.6: Viewpoint Locations and ZTV for DSF at Year 20 (15km Study Area)

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- Viewpoint
 1. Farmsteads off Crockanboy Road
 2. Mullydoo Road
 3. Crockanboy Road (B46)
 4. Aghaboy Road – South of site
 5. Greencastle Road
 6. Cashel Rock
 7. Aghaboy Road – South-west of site
 8. Barony Road (A505)
 9. Mullaghcarn

Visibility of DSF at Year 20 (Maximum Extent)



Notes

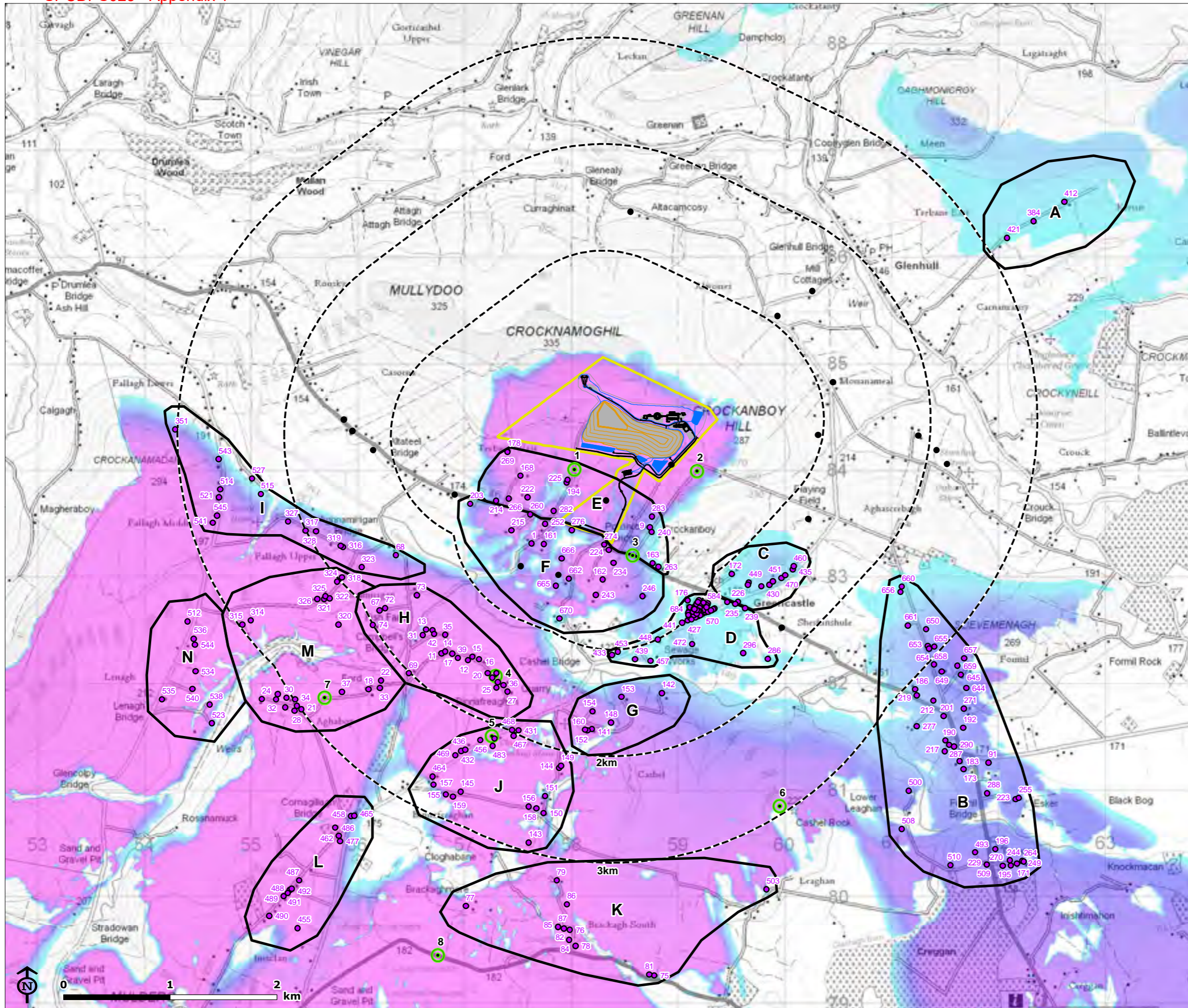
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.7: Residential Property Groups and ZTV for DSF at Year 20 (3km of Proposed Project)

- Proposed Infrastructure Site (Area A)
- 1km Intervals from Site
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- Properties with MWSF visible
- Other Properties
- Derelict Property
- Property Group
- Viewpoint
 1. Farmsteads off Crockanboy Road
 2. Mullydoo Road
 3. Crockanboy Road (B46)
 4. Aghaboy Road – South of site
 5. Greencastle Road
 6. Cashel Rock
 7. Aghaboy Road – South-west of site
 8. Barony Road (A505)
 9. Mullaghcarn

Visibility of DSF at Year 20 (Maximum Extent)

More Visible

Less Visible

Notes

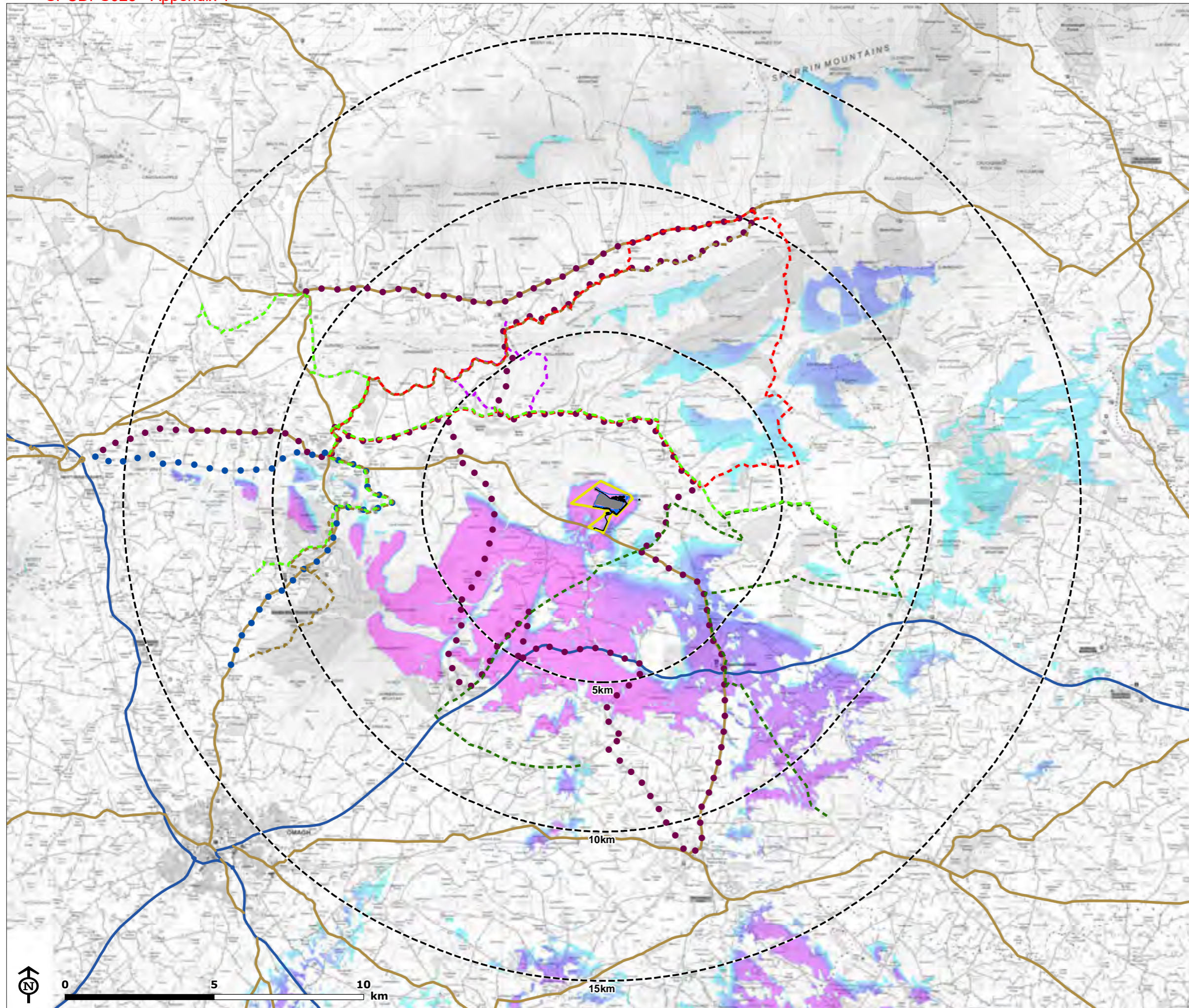
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:35,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.8: Sequential Routes and ZTV for DSF at Year 20 (15km Study Area)

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- Recreational Route**
 - Central Sperrins Scenic Route
 - Cycle Network Route 95
 - Gold Cycle Route
 - South Sperrins Scenic Route
 - Ulster Way
 - Vinegar Hill Loop
 - White Hare Cycle Route
- Roads**
 - A Class
 - B Class
- Visibility of DSF at Year 20 (Maximum Extent)**
 - More Visible
 - Less Visible

Notes

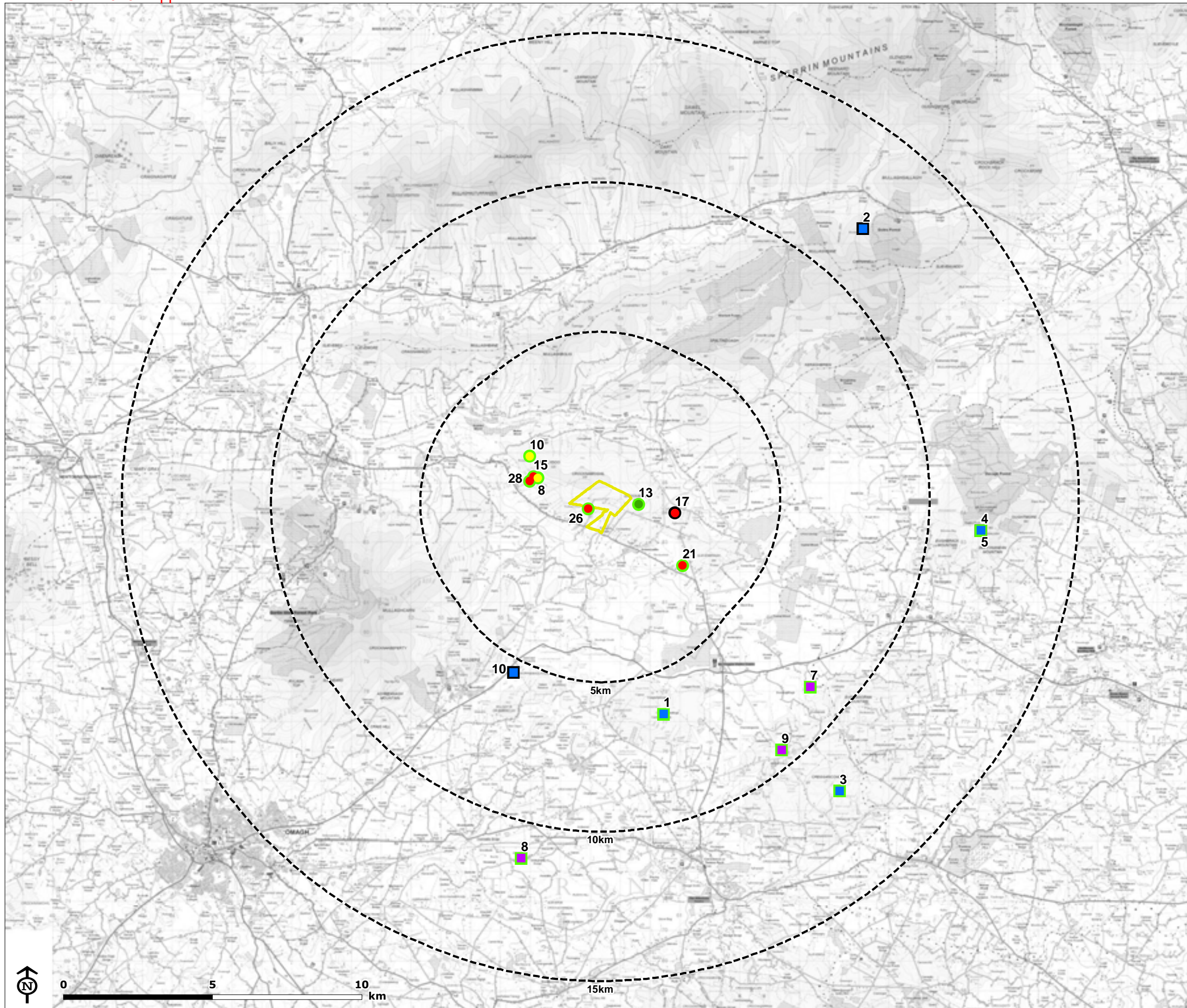
The ZTV is calculated to maximum vertical and horizontal extents of Dry Stack Facility (DSF) from a viewing height of 2m above ground level.

The terrain model assumes bare ground and is derived from OSNI 10m height data.

Earth curvature and atmospheric refraction have been taken into account. The ZTV was calculated using ArcMap 10.4.1 software.

Map Scale @ A3: 1:125,000





Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 6.9: Other Developments considered in Cumulative LVIA (15km radius Study Area)

- Study Area (15km)
- Proposed Infrastructure Site (Area A)
- Developments within 5km from site**
 - Communications Tower
 - Power lines
 - Wind Turbines
- Developments 5 - 15km from site**
 - Windfarm
 - Mineral Extraction
- Status**
 - Consented
 - Pending consideration

See Table 6.6 for full details of Other Developments considered in Cumulative LVIA

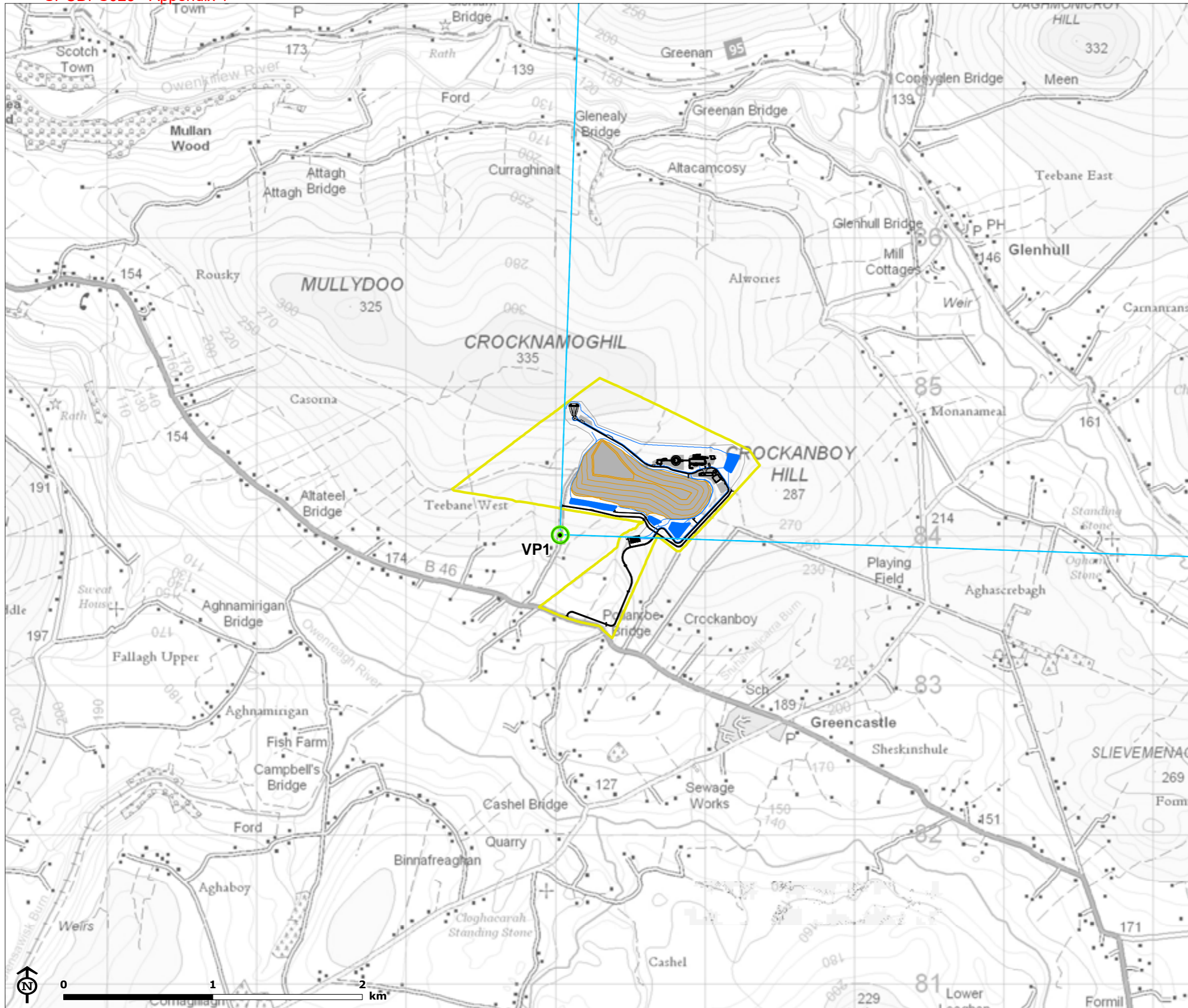
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Visualisations

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Landscape & Visual Impact Assessment (LVIA) for the Curraghinait Project, County Tyrone, Northern Ireland

Figure 9.1
Viewpoint 1: Farmsteads off Crockanboy Road

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP1. Farmsteads off Crockanboy Road (258031, 384011)

Map Scale @ A3: 1:25,000



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Baseline photograph

This image provides landscape and visual context only



Photomontage - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.1a
Viewpoint 1: Farmsteads off Crockanboy Road

OS reference: 258031 E 384011 N
AOD: 216 m
Direction of view: 47°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 15:15



Photomontage - Removal of componentry and post closure DSF

Figure: 9.1b
Viewpoint 1: Farmsteads off Crockanboy Road

OS reference: 258031 E 384011 N
AOD: 216 m
Direction of view: 47°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 15:15



Baseline photograph

Figure: 9.1c
Viewpoint 1: Farmsteads off Crockanboy Road

OS reference: 258031 E 384011 N
AOD: 216 m
Direction of view: 47°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 15:15



Photomontage - Full extent DSF at Year 20 and proposed site componentry

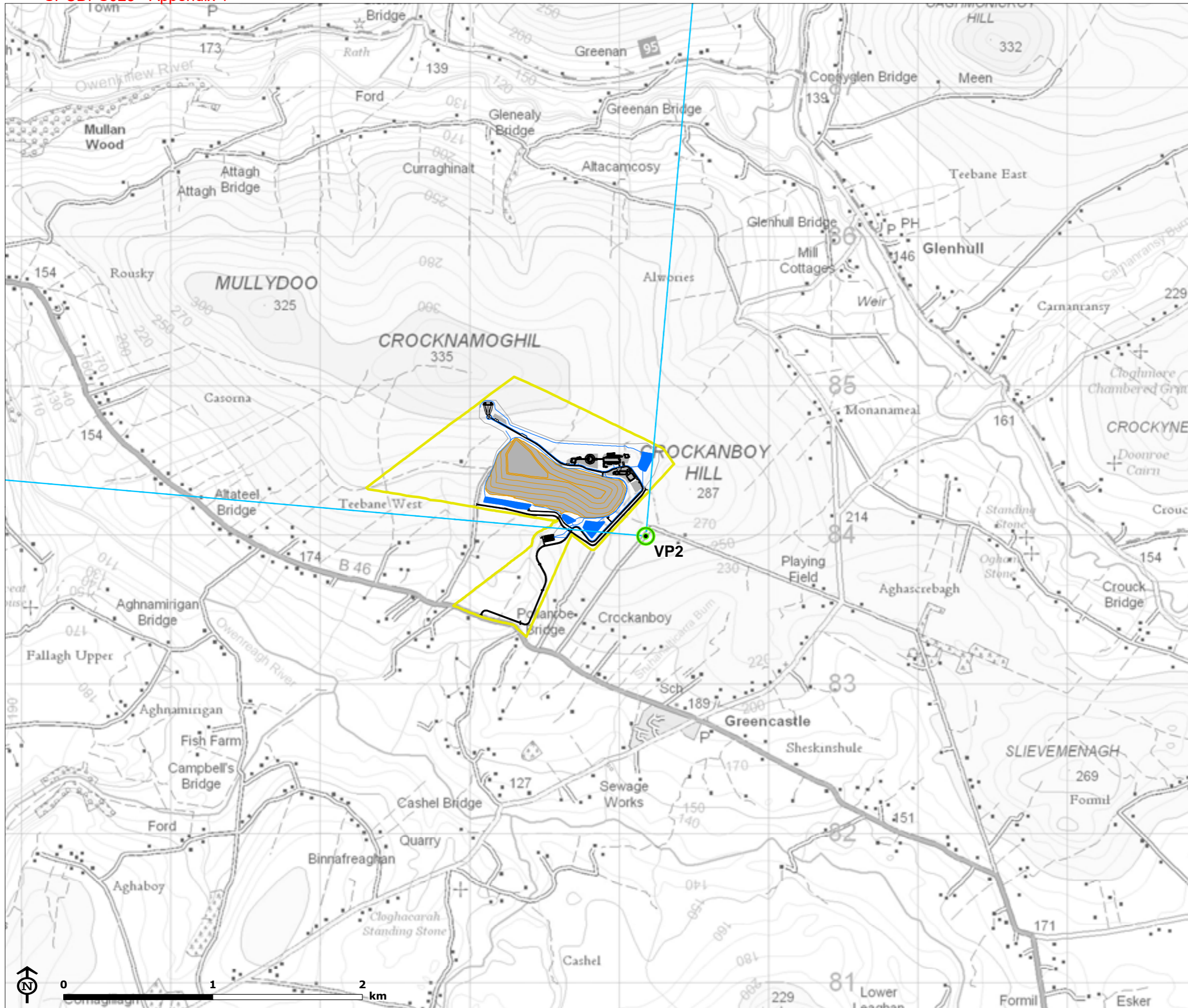
View flat at a comfortable arm's length

Figure: 9.1d
Viewpoint 1: Farmsteads off Crockanboy Road

OS reference: 258031 E 384011 N
AOD: 216 m
Direction of view: 47°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 15:15



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 9.2
Viewpoint 2: Mullydoo Road

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP2. Mullydoo Road (259180, 383993)

Map Scale @ A3: 1:25,000



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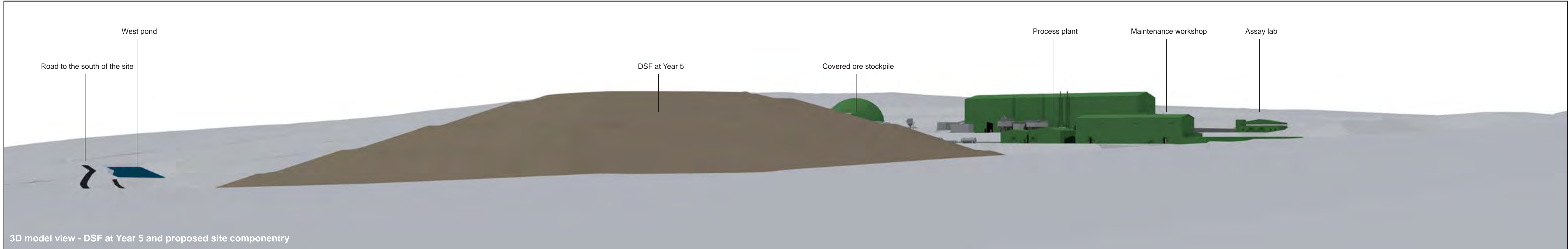


Figure: 9.2a
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
AOD: 261 m
Direction of view: 320°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 09:50

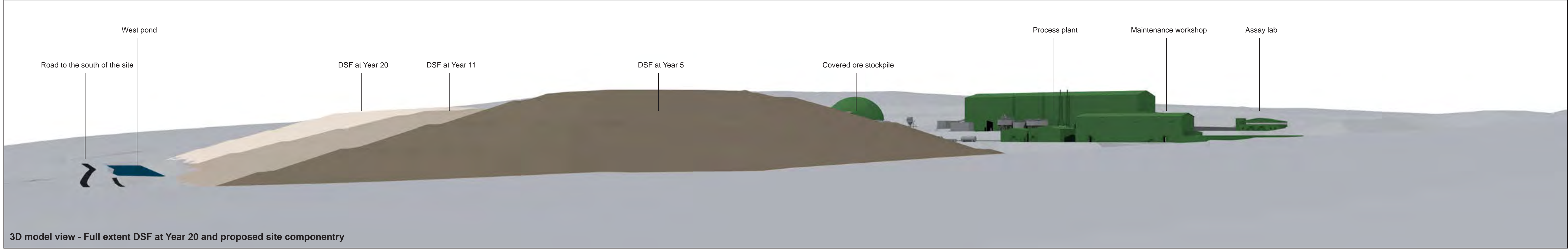
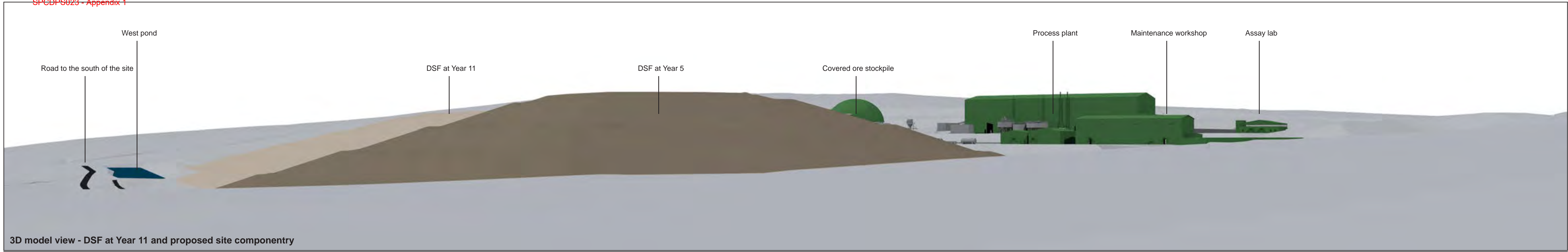


Figure: 9.2b
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
AOD: 261 m
Direction of view: 320°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 09:50



Photomontage - Full extent DSF at Year 20 and proposed site componentry

This image provides landscape and visual context only



Photomontage - Removal of componentry and post closure DSF

Figure: 9.2c
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
 AOD: 261 m
 Direction of view: 320°

Horizontal field of view: 90° (cylindrical projection)
 Principal distance: 522 mm
 Paper size: 841 x 297 mm (half A1)
 Correct printed image size: 820 x 260 mm

Camera: Nikon D750
 Lens: Nikkor AF 50mm f/1.8D
 Camera height: 1.5 m AGL
 Date and time: 12/07/2016 09:50



Baseline photograph

Figure: 9.2d
Viewpoint 2: Mullydoo Road

OS reference:	259180 E 383993 N	Horizontal field of view:	53.5° (planar projection)	Camera:	Nikon D750
AOD:	261 m	Principal distance:	812.5 mm	Lens:	Nikkor AF 50mm f/1.8D
Direction of view:	320°	Paper size :	841 x 297 mm (half A1)	Camera height:	1.5 m AGL
		Correct printed image size :	820 x 260 mm	Date and time:	12/07/2016 09:50



Figure: 9.2e
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
AOD: 261 m
Direction of view: 320°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 09:50



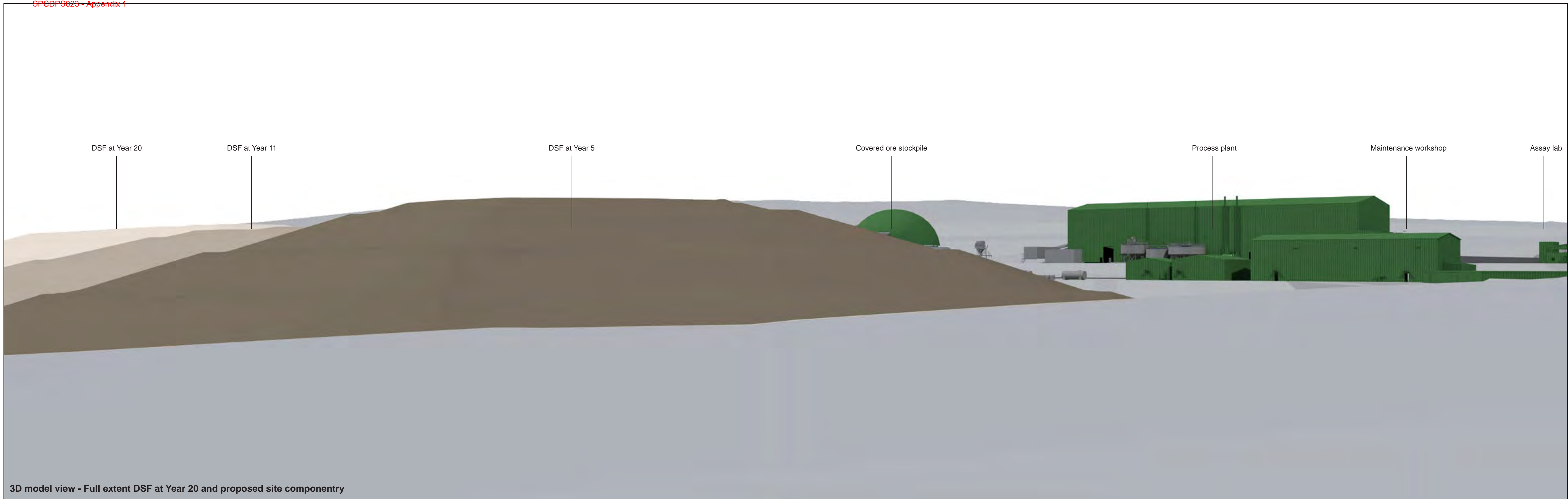
3D model view - DSF at Year 11 and proposed site componentry

Figure: 9.2f
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
AOD: 261 m
Direction of view: 320°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

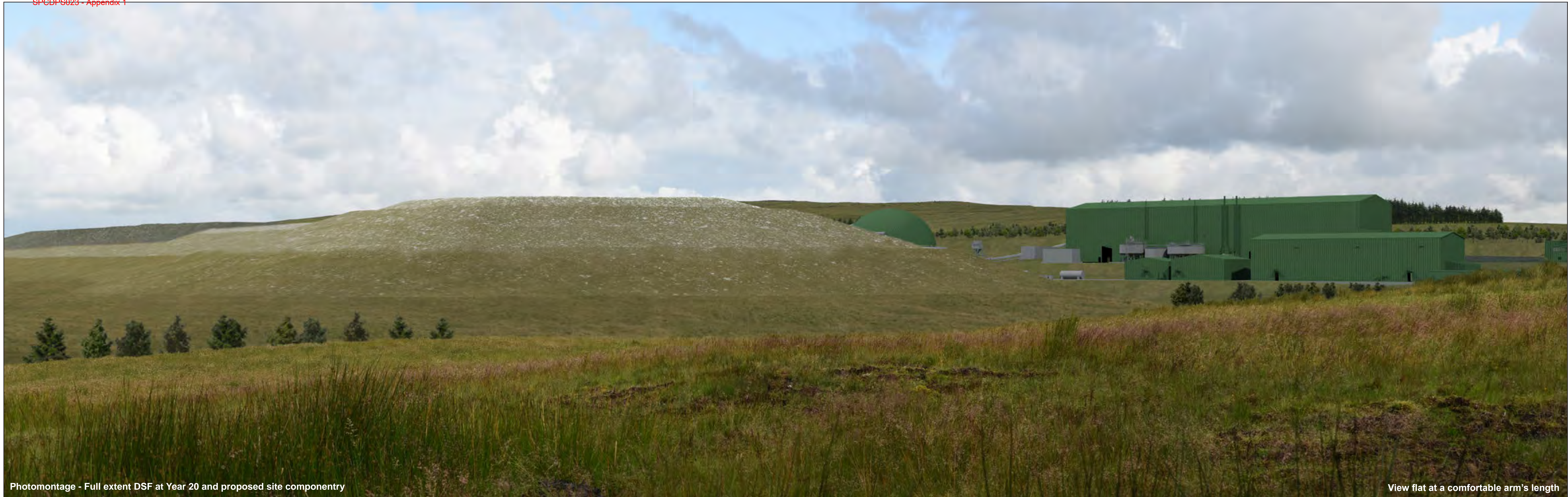
Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 09:50



3D model view - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.2g
Viewpoint 2: Mullydoo Road

OS reference:	259180 E 383993 N	Horizontal field of view:	53.5° (planar projection)	Camera:	Nikon D750
AOD:	261 m	Principal distance:	812.5 mm	Lens:	Nikkor AF 50mm f/1.8D
Direction of view:	320°	Paper size:	841 x 297 mm (half A1)	Camera height:	1.5 m AGL
		Correct printed image size:	820 x 260 mm	Date and time:	12/07/2016 09:50



Photomontage - Full extent DSF at Year 20 and proposed site componentry

View flat at a comfortable arm's length

Figure: 9.2h
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
AOD: 261 m
Direction of view: 320°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 09:50



Photomontage - Removal of componentry and post closure DSF

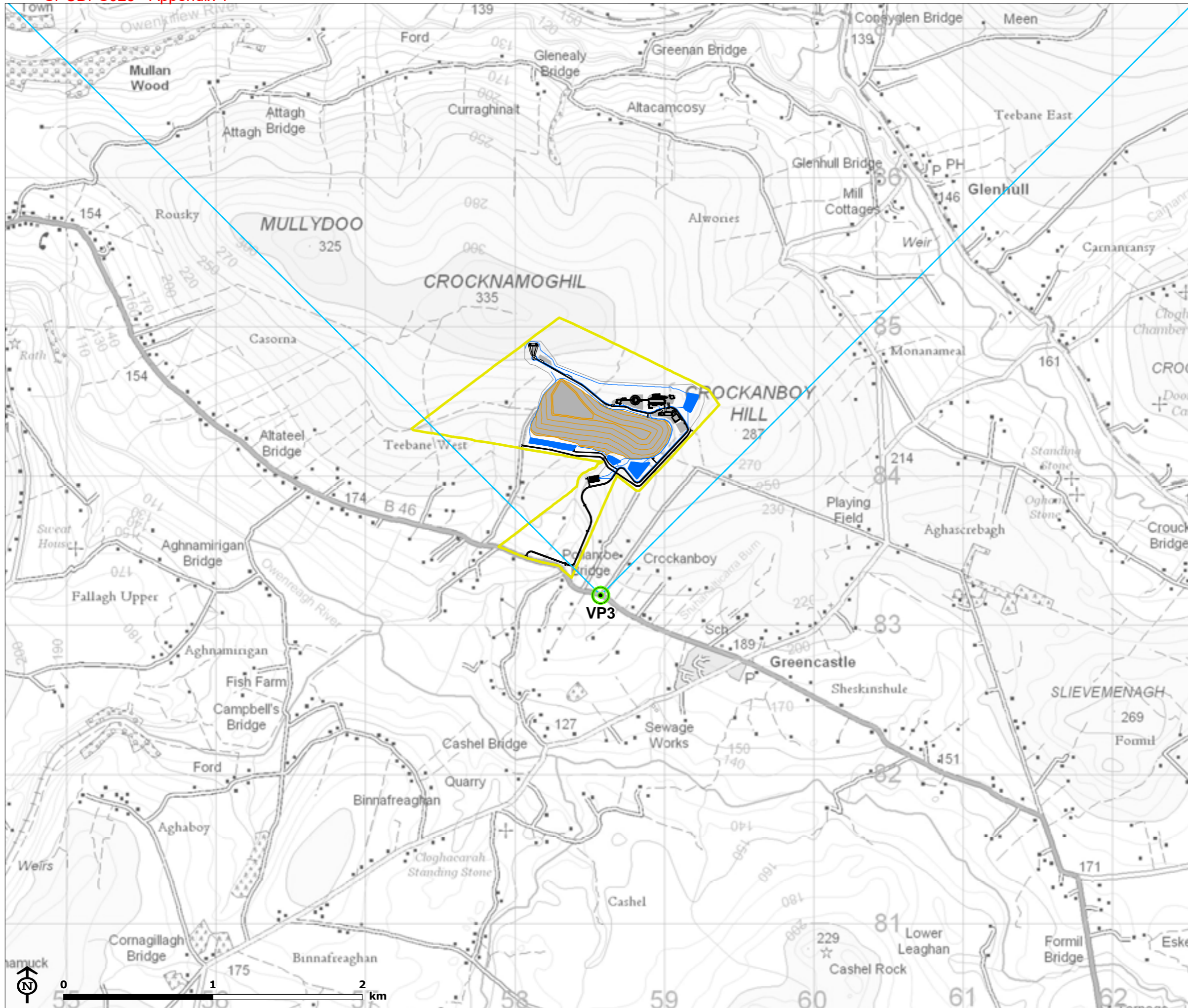
View flat at a comfortable arm's length

Figure: 9.2i
Viewpoint 2: Mullydoo Road

OS reference: 259180 E 383993 N
AOD: 261 m
Direction of view: 320°






Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 09:50



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Gold Project, County Tyrone, Northern Ireland

Figure 9.3 Viewpoint 3: Crockanboy Road (B46)

-  Proposed Infrastructure Site (Area A)
-  Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
-  Process Plant and Access
-  Pond
-  VP3. Crockanboy Road (B46) (258575, 383202)

Map Scale @ A3: 1:25,000



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Baseline photograph

This image provides landscape and visual context only



Photomontage - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.3a
Viewpoint 3: Crockanboy Road (B46)

OS reference:	258575 E 383202 N	Horizontal field of view:	90° (cylindrical projection)	Camera:	Nikon D750
AOD:	189 m	Principal distance:	522 mm	Lens:	Nikkor AF 50mm f/1.8D
Direction of view:	0°	Paper size:	841 x 297 mm (half A1)	Camera height:	1.5 m AGL
		Correct printed image:	820 x 260 mm	Date and time:	12/07/2016 10:20



Photomontage - Removal of componentry and post closure DSF

Figure: 9.3b
Viewpoint 3: Crockanboy Road (B46)

OS reference: 258575 E 383202 N
AOD: 189 m
Direction of view: 0°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 10:20



Baseline photograph

Figure: 9.3c
Viewpoint 3: Crockanboy Road (B46)

OS reference: 258575 E 383202 N
AOD: 189 m
Direction of view: 0°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 10:20



Photomontage - Full extent DSF at Year 20 and proposed site componentry

View flat at a comfortable arm's length

Figure: 9.3d
Viewpoint 3: Crockanboy Road (B46)

OS reference: 258575 E 383202 N
 AOD: 189 m
 Direction of view: 0°

Horizontal field of view: 53.5° (planar projection)
 Principal distance: 812.5 mm
 Paper size: 841 x 297 mm (half A1)
 Correct printed image size: 820 x 260 mm

Camera: Nikon D750
 Lens: Nikkor AF 50mm f/1.8D
 Camera height: 1.5 m AGL
 Date and time: 12/07/2016 10:20



Photomontage - Removal of componentry and post closure DSF

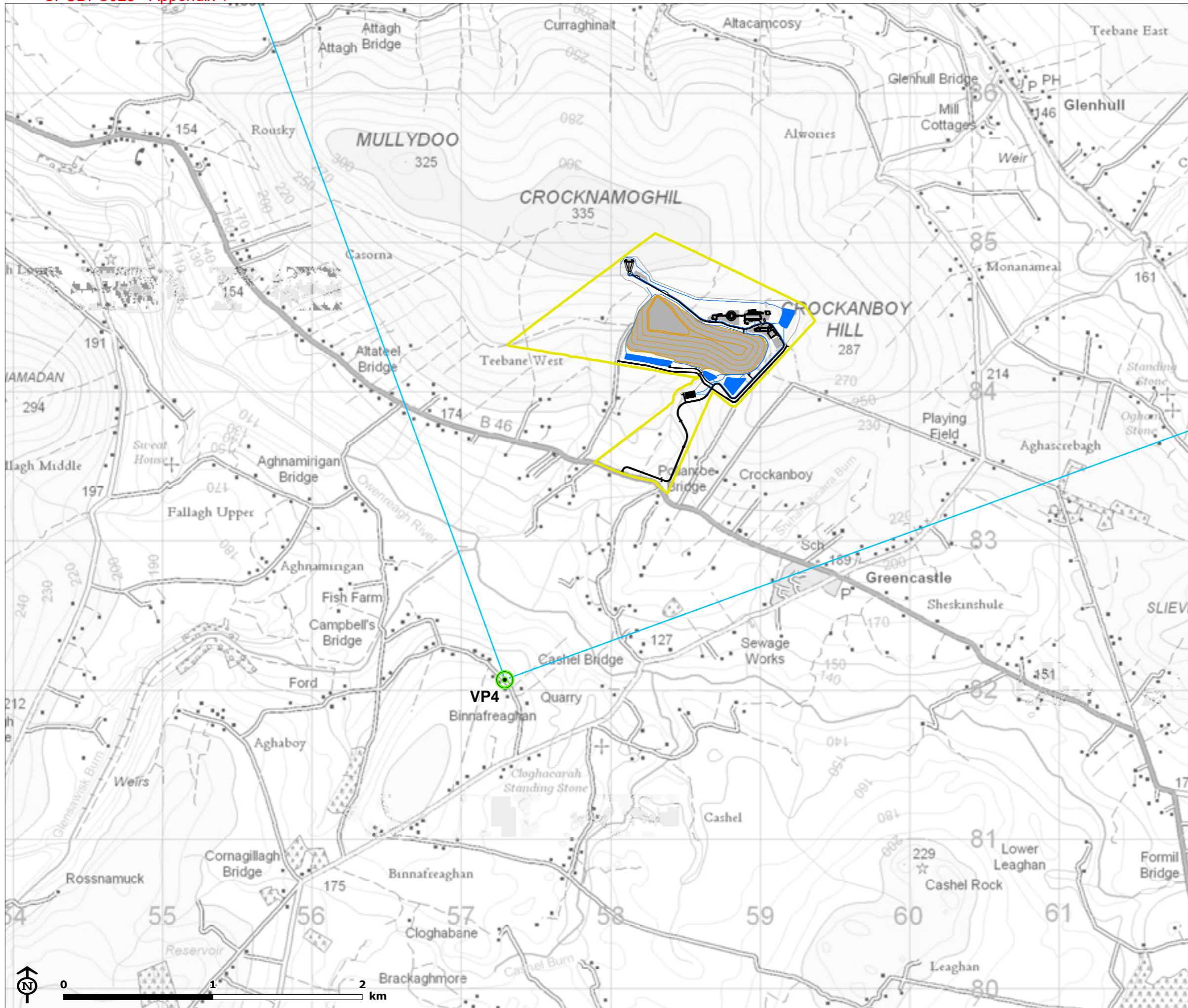
View flat at a comfortable arm's length

Figure: 9.3e
Viewpoint 3: Crockanboy Road (B46)

OS reference: 258575 E 383202 N
AOD: 189 m
Direction of view: 0°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 10:20



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Gold Project, County Tyrone, Northern Ireland

Figure 9.4 Viewpoint 4: Aghaboy Road – South of site

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP4. Aghaboy Road – South of site (257291, 382073)

Map Scale @ A3: 1:25,000



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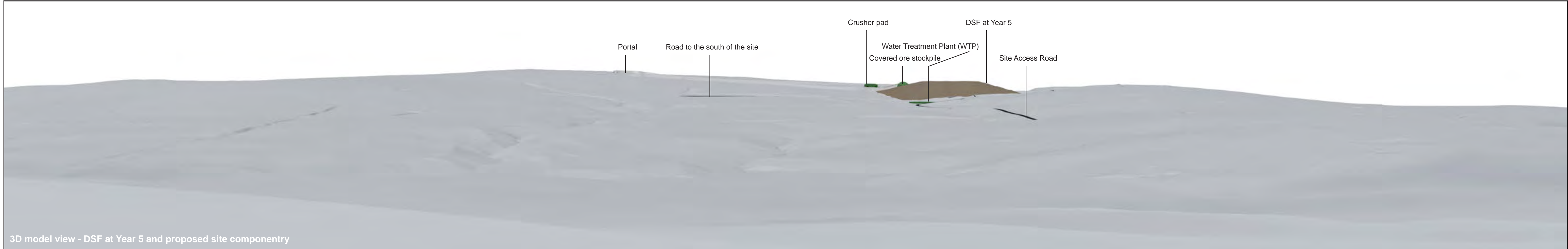


Figure: 9.4a
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
 AOD: 171 m
 Direction of view: 25°

Horizontal field of view: 90° (cylindrical projection)
 Principal distance: 522 mm
 Paper size: 841 x 297 mm (half A1)
 Correct printed image size: 820 x 260 mm

Camera: Nikon D750
 Lens: Nikkor AF 50mm f/1.8D
 Camera height: 1.5 m AGL
 Date and time: 12/07/2016 12:40

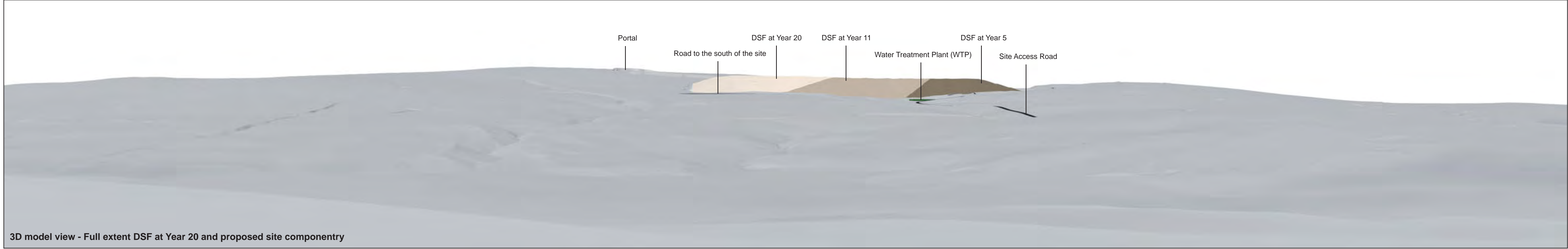
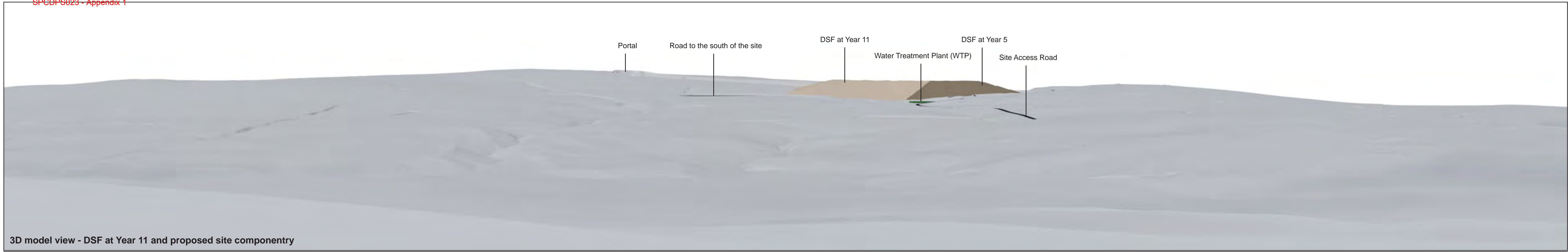


Figure: 9.4b
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
AOD: 171 m
Direction of view: 25°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:40



Photomontage - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.4c
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
AOD: 171 m
Direction of view: 25°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:40



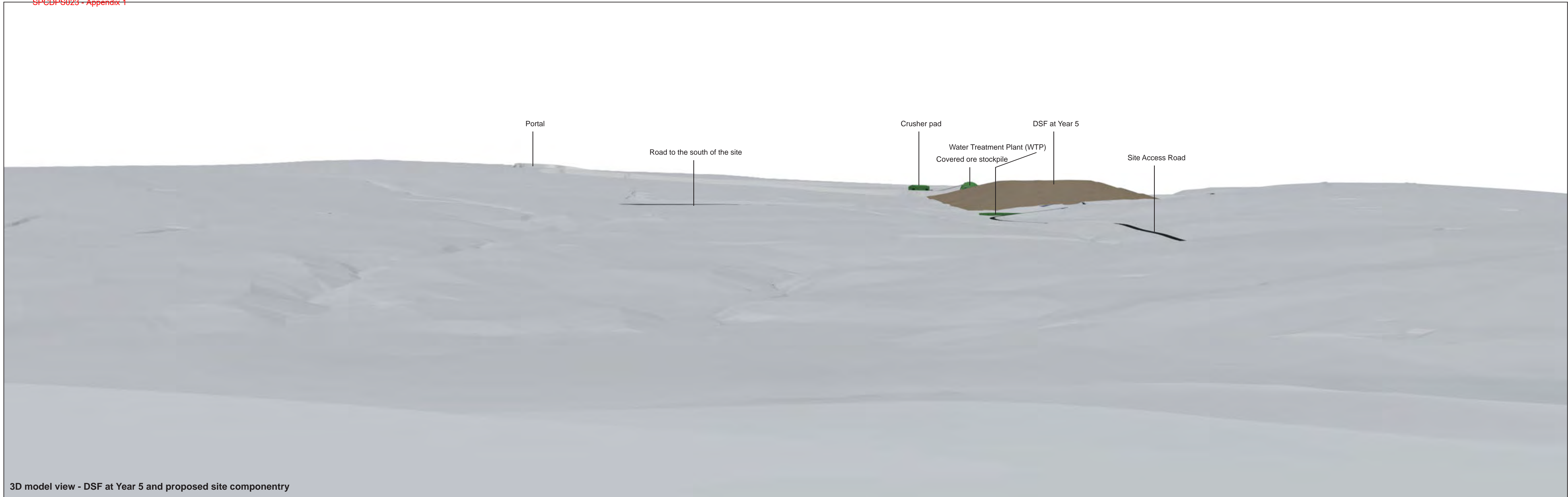
Baseline photograph

Figure: 9.4d
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
AOD: 171 m
Direction of view: 25°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:40



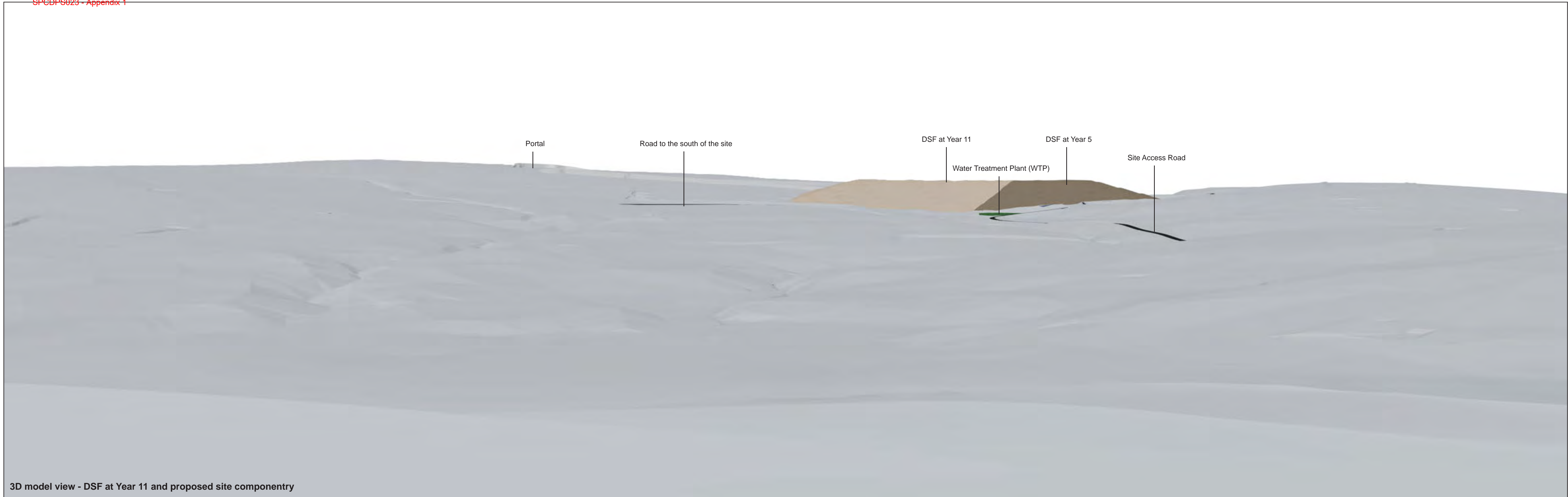
3D model view - DSF at Year 5 and proposed site componentry

Figure: 9.4e
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
AOD: 171 m
Direction of view: 25°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

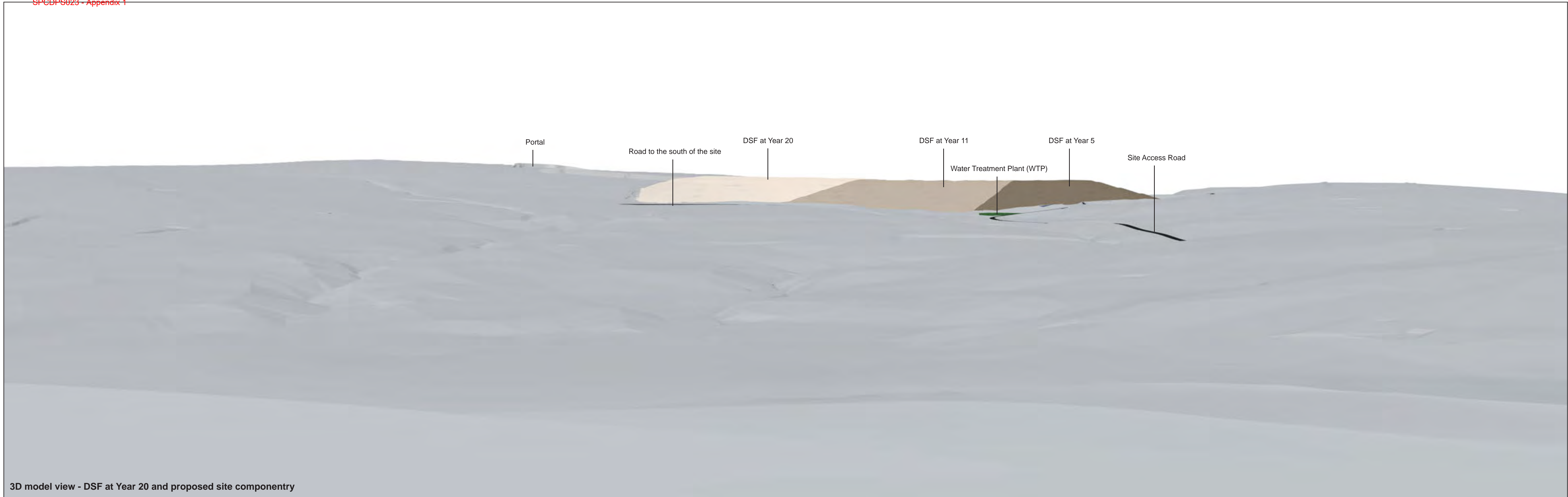
Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:40



3D model view - DSF at Year 11 and proposed site componentry

Figure: 9.4f
Viewpoint 4: Aghaboy Road - South of site

OS reference:	257291 E 382073 N	Horizontal field of view:	53.5° (planar projection)	Camera:	Nikon D750
AOD:	171 m	Principal distance:	812.5 mm	Lens:	Nikkor AF 50mm f/1.8D
Direction of view:	25°	Paper size:	841 x 297 mm (half A1)	Camera height:	1.5 m AGL
		Correct printed image size:	820 x 260 mm	Date and time:	12/07/2016 12:40



3D model view - DSF at Year 20 and proposed site componentry

Figure: 9.4g
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
AOD: 171 m
Direction of view: 25°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:40



Photomontage - Full extent DSF at Year 20 and proposed site componentry

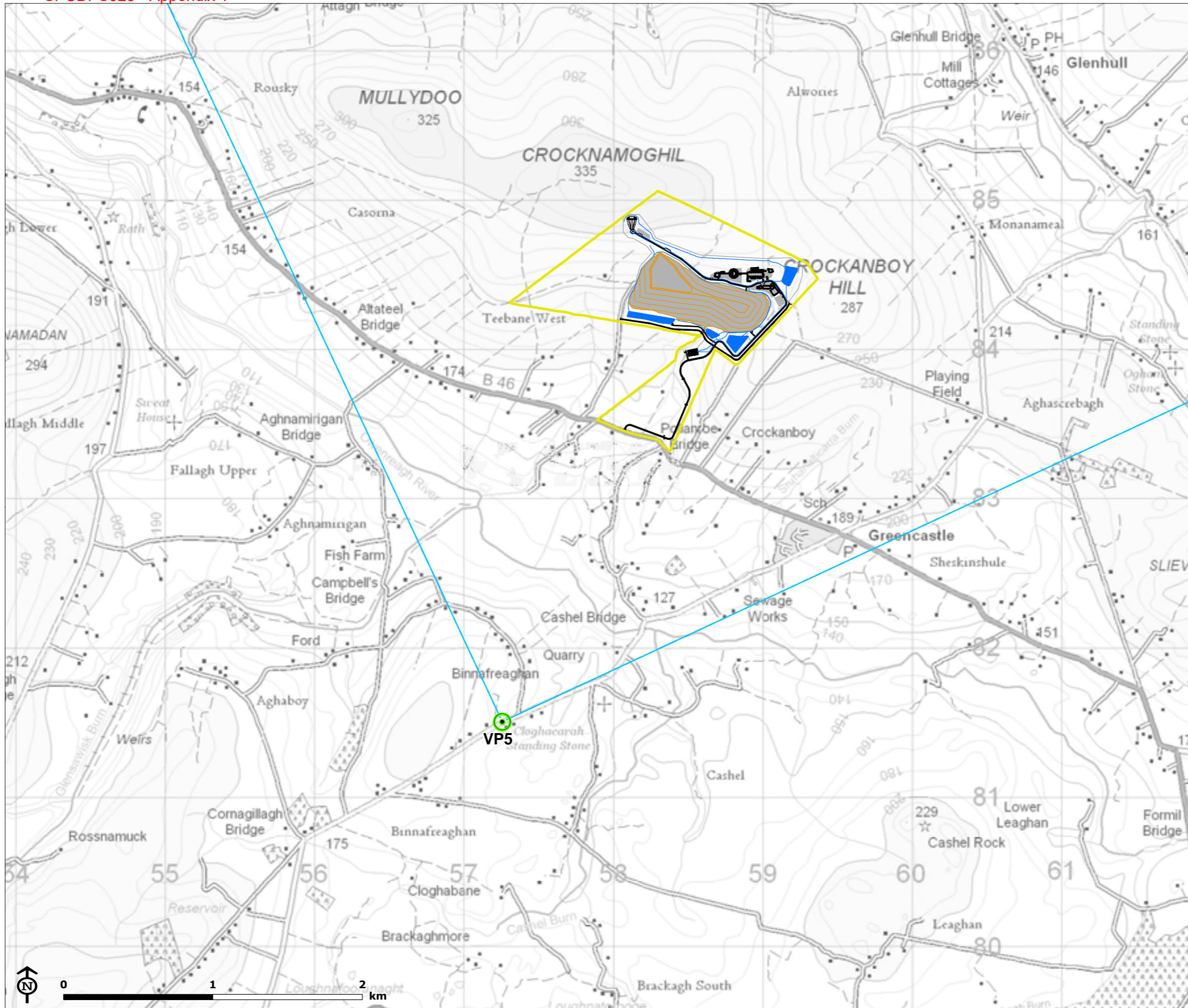
View flat at a comfortable arm's length

Figure: 9.4h
Viewpoint 4: Aghaboy Road - South of site

OS reference: 257291 E 382073 N
 AOD: 171 m
 Direction of view: 25°

Horizontal field of view: 53.5° (planar projection)
 Principal distance: 812.5 mm
 Paper size: 841 x 297 mm (half A1)
 Correct printed image size: 820 x 260 mm

Camera: Nikon D750
 Lens: Nikkor AF 50mm f/1.8D
 Camera height: 1.5 m AGL
 Date and time: 12/07/2016 12:40



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 9.5 Viewpoint 5: Greencastle Road

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP5. Greencastle Road (257256, 381507)

Map Scale @ A3: 1:25,000

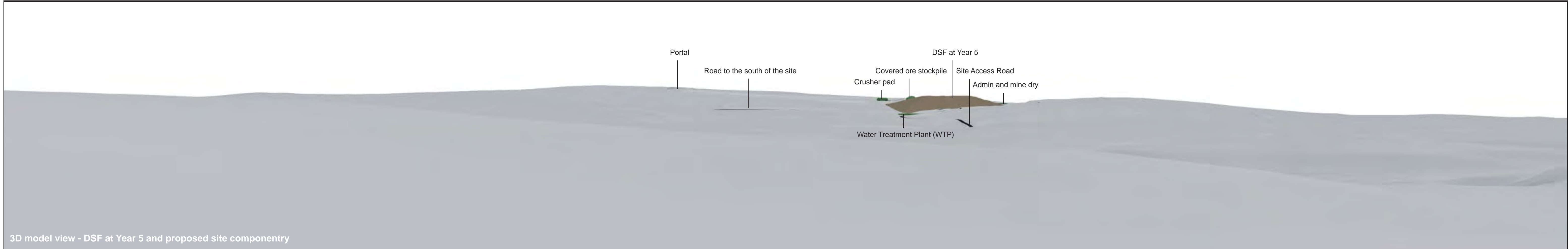


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Baseline photograph

This image provides landscape and visual context only



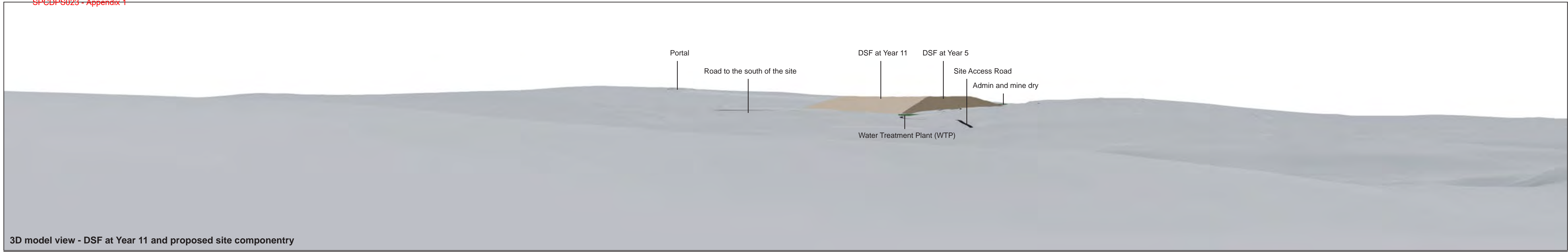
3D model view - DSF at Year 5 and proposed site componentry

Figure: 9.5a
Viewpoint 5: Greencastle Road

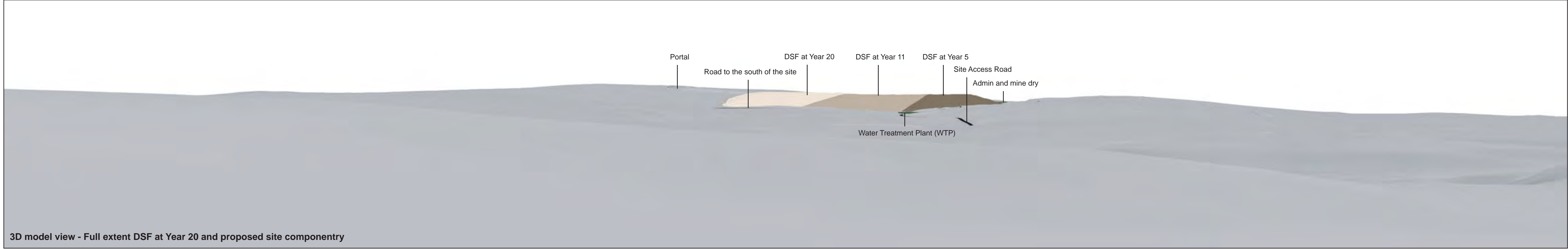
OS reference: 257256 E 381507 N
 AOD: 173 m
 Direction of view: 20°

Horizontal field of view: 90° (cylindrical projection)
 Principal distance: 522 mm
 Paper size: 841 x 297 mm (half A1)
 Correct printed image size: 820 x 260 mm

Camera: Nikon D750
 Lens: Nikkor AF 50mm f/1.8D
 Camera height: 1.5 m AGL
 Date and time: 12/07/2016 11:00



3D model view - DSF at Year 11 and proposed site componentry



3D model view - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.5b
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



Photomontage - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.5c
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



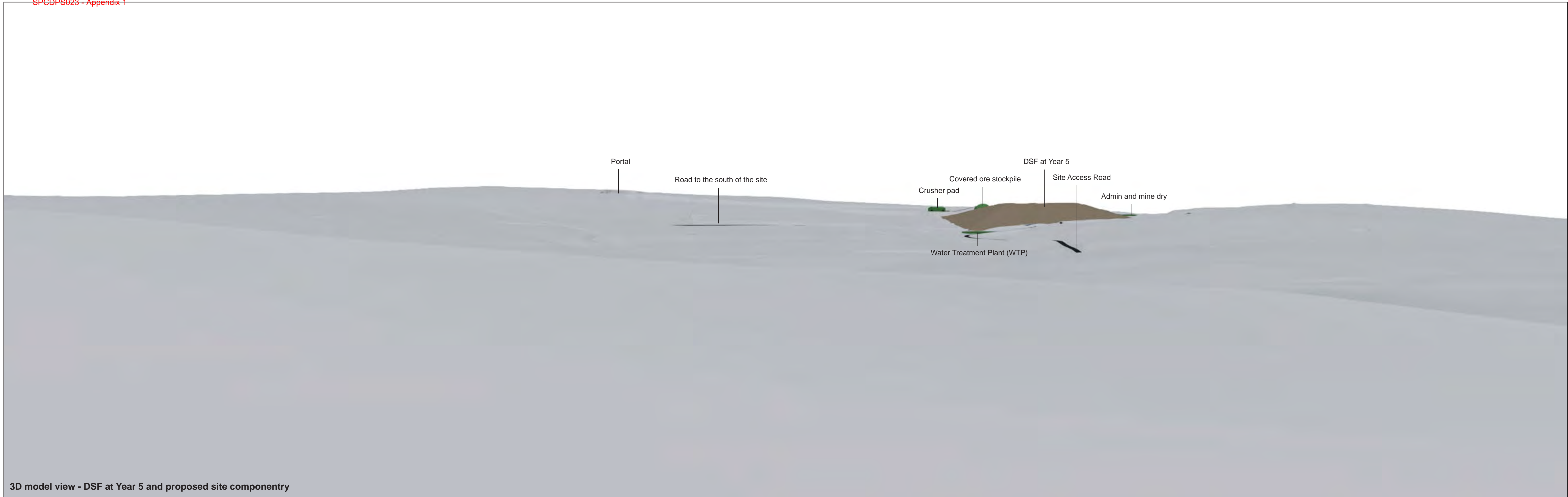
Baseline photograph

Figure: 9.5d
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



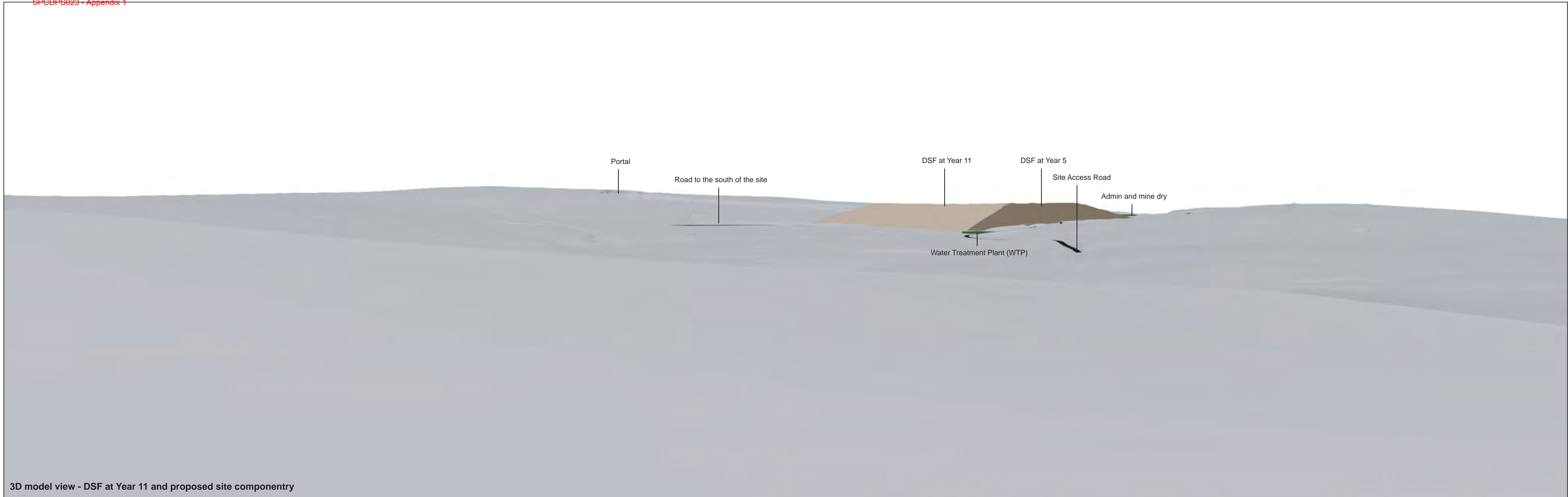
3D model view - DSF at Year 5 and proposed site componentry

Figure: 9.5e
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



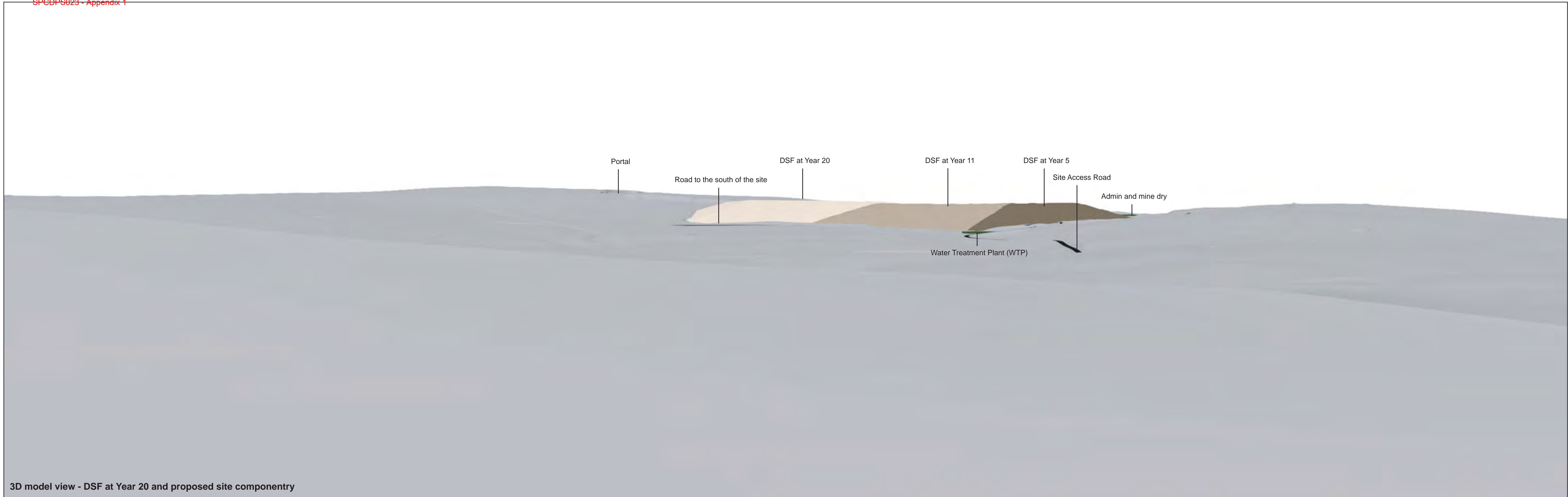
3D model view - DSF at Year 11 and proposed site componentry

Figure: 9.5f
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



3D model view - DSF at Year 20 and proposed site componentry

Figure: 9.5g
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



Photomontage - Full extent DSF at Year 20 and proposed site componentry

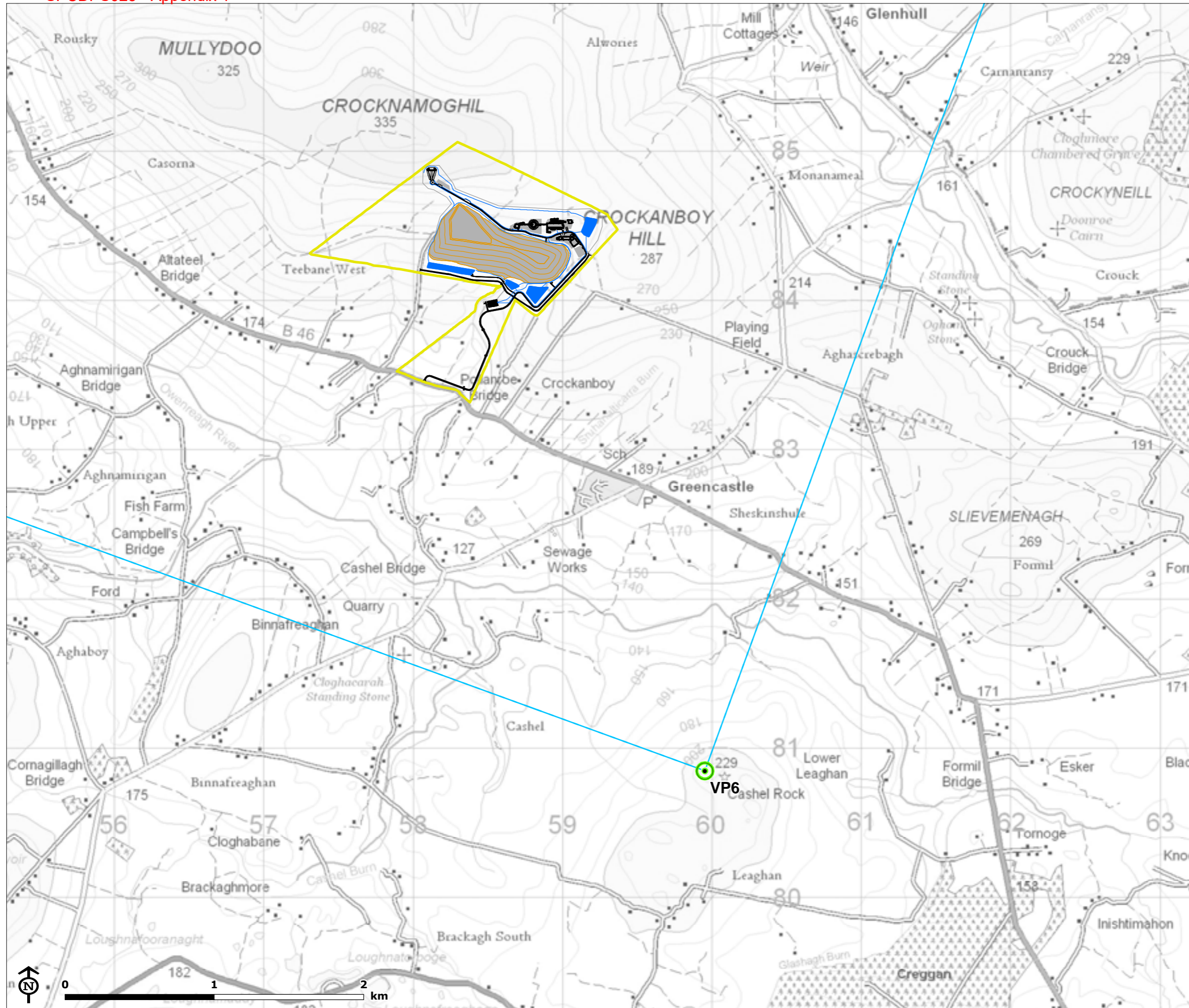
View flat at a comfortable arm's length

Figure: 9.5h
Viewpoint 5: Greencastle Road

OS reference: 257256 E 381507 N
AOD: 173 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 11:00



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 9.6
Viewpoint 6: Cashel Rock

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP6. Cashel Rock (259954, 380850)

Map Scale @ A3: 1:25,000



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Figure: 9.6a
Viewpoint 6: Cashel Rock

OS reference:	259954 E 380850 N	Horizontal field of view:	90° (cylindrical projection)	Camera:	Nikon D750
AOD:	227 m	Principal distance:	522 mm	Lens:	Nikkor AF 50mm f/1.8D
Direction of view:	335°	Paper size:	841 x 297 mm (half A1)	Camera height:	1.5 m AGL
		Correct printed image:	820 x 260 mm	Date and time:	12/07/2016 14:40



Baseline photograph

Figure: 9.6b
Viewpoint 6: Cashel Rock

OS reference: 259954 E 380850 N
AOD: 227 m
Direction of view: 335°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 14:40



Photomontage - Full extent DSF at Year 20 and proposed site componentry

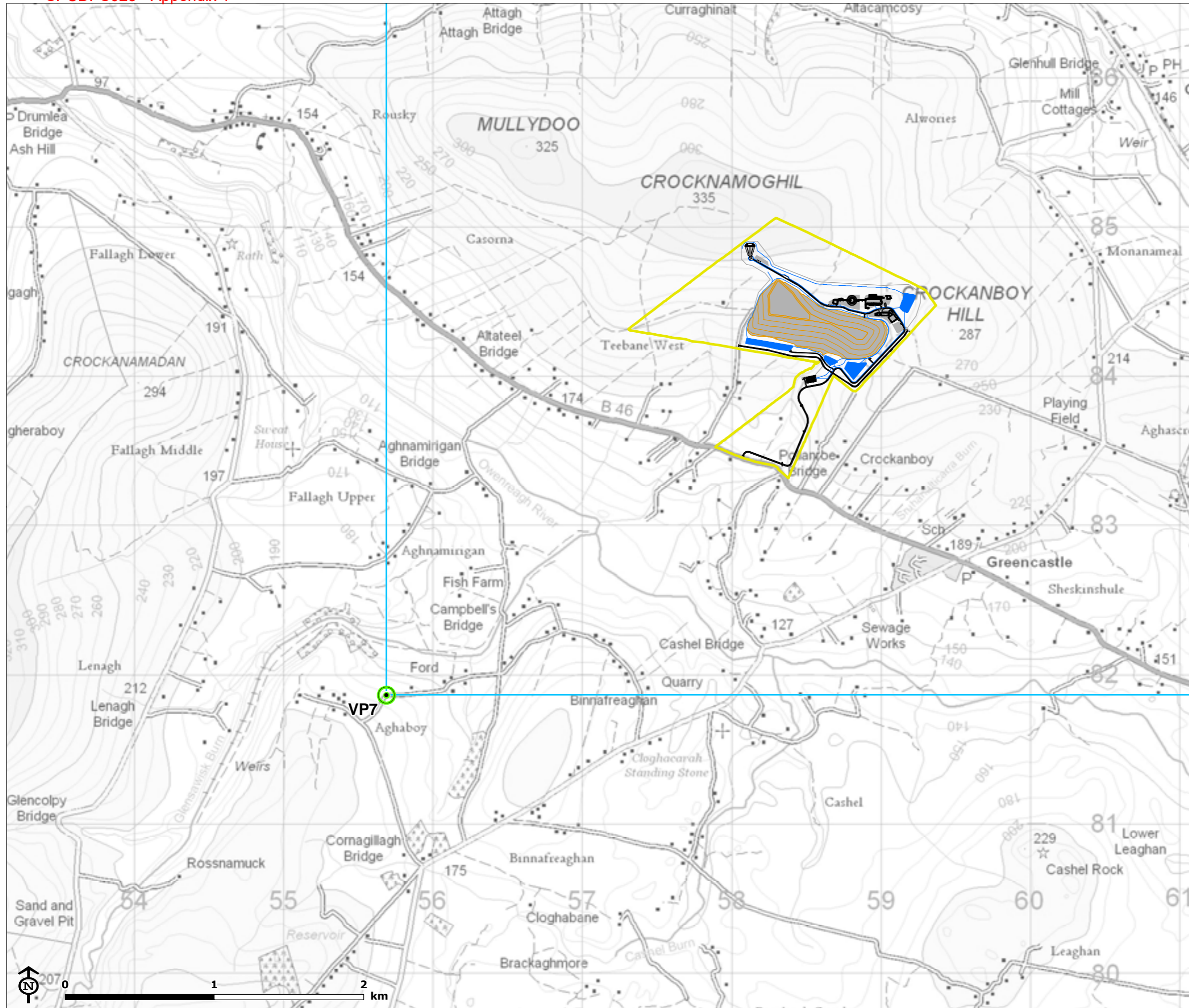
View flat at a comfortable arm's length

Figure: 9.6c
Viewpoint 6: Cashel Rock

OS reference: 259954 E 380850 N
AOD: 227 m
Direction of view: 335°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 14:40



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Gold Project, County Tyrone, Northern Ireland

Figure 9.7 Viewpoint 7: Aghaboy Road – South-west of site

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP7. Aghaboy Road – South-west of site (255689, 381866)

Map Scale @ A3: 1:25,000



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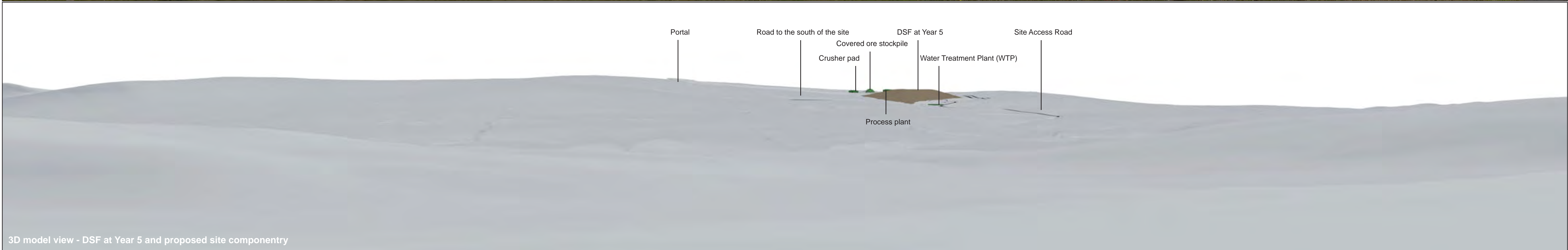


Figure: 9.7a
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
 AOD: 173 m
 Direction of view: 45°

Horizontal field of view: 90° (cylindrical projection)
 Principal distance: 522 mm
 Paper size: 841 x 297 mm (half A1)
 Correct printed image size: 820 x 260 mm

Camera: Nikon D750
 Lens: Nikkor AF 50mm f/1.8D
 Camera height: 1.5 m AGL
 Date and time: 12/07/2016 12:24

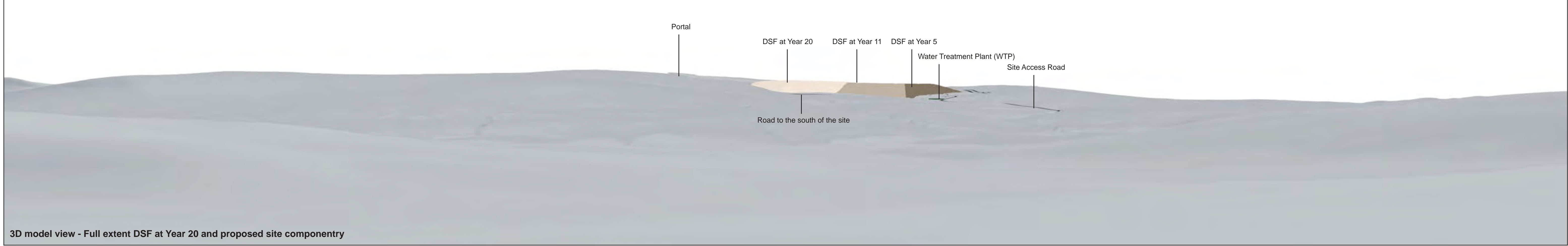
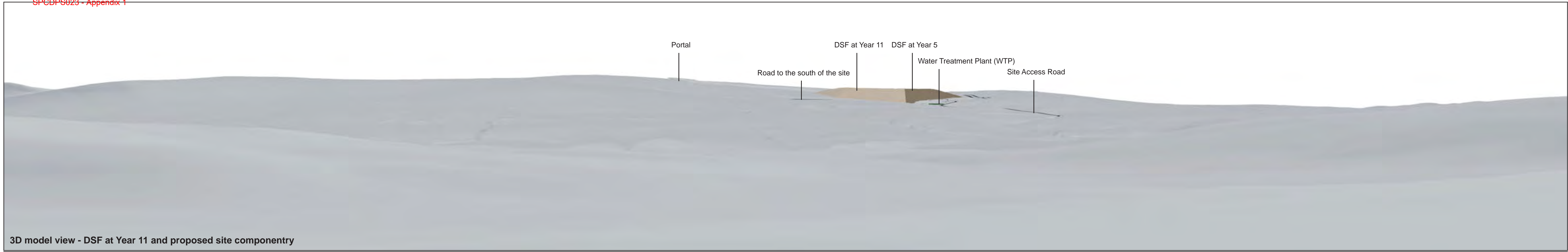


Figure: 9.7b
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



Photomontage - Full extent DSF at Year 20 and proposed site componentry



Photomontage - Removal of componentry and post closure DSF

Figure: 9.7c
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



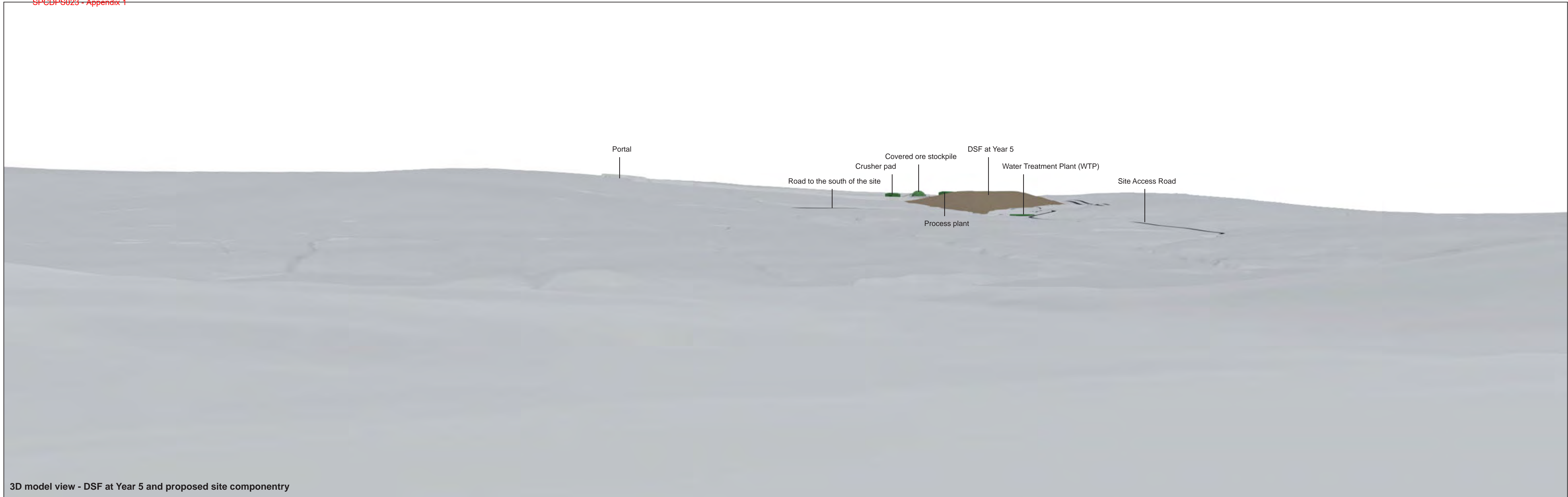
Baseline photograph

Figure: 9.7d
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



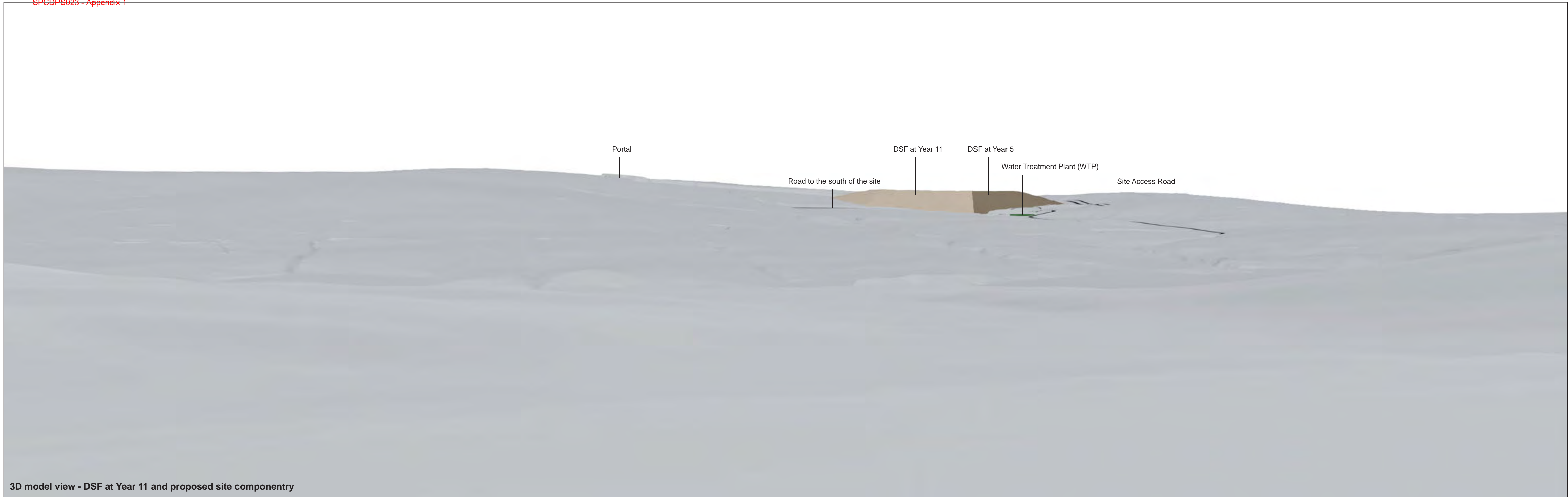
3D model view - DSF at Year 5 and proposed site componentry

Figure: 9.7e
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



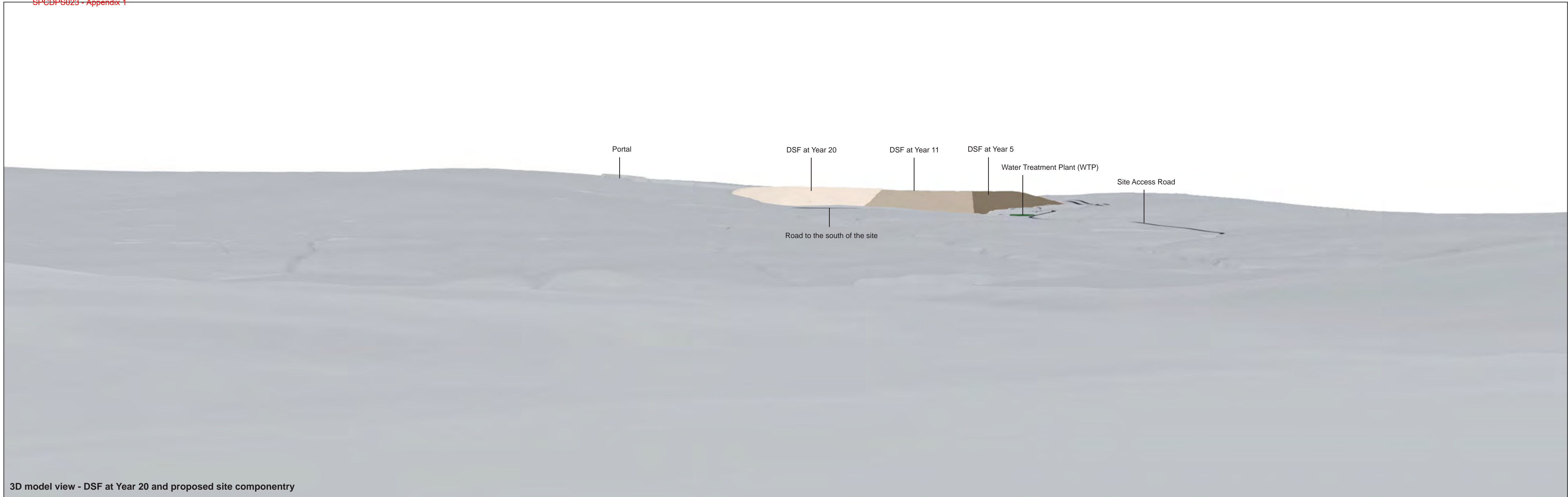
3D model view - DSF at Year 11 and proposed site componentry

Figure: 9.7f
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



3D model view - DSF at Year 20 and proposed site componentry

Figure: 9.7g
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



Photomontage - Full extent DSF at Year 20 and proposed site componentry

View flat at a comfortable arm's length

Figure: 9.7h
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



Photomontage - Removal of componentry and post closure DSF

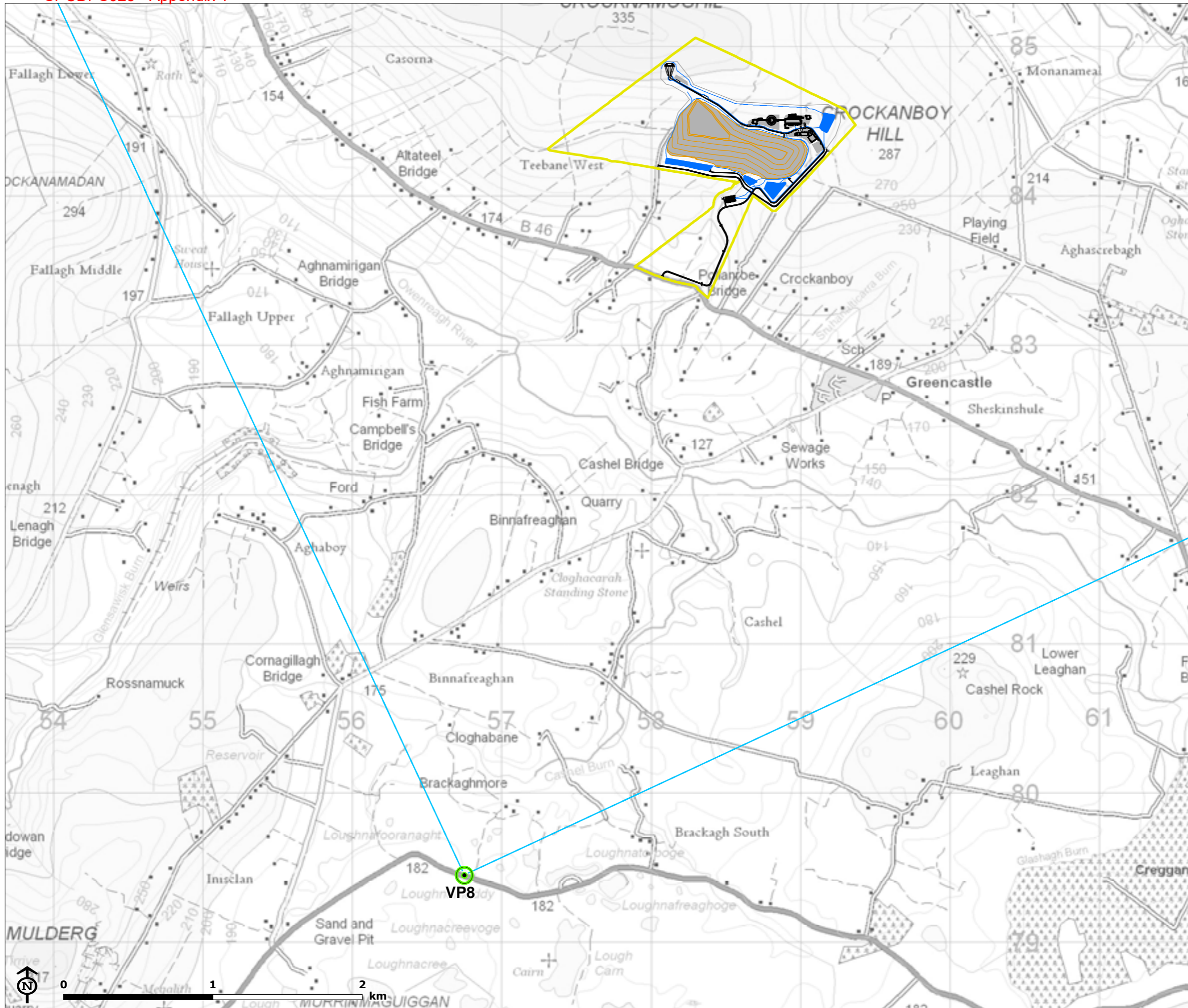
View flat at a comfortable arm's length

Figure: 9.7i
Viewpoint 7: Aghaboy Road - South-West of site

OS reference: 255689 E 381866 N
AOD: 173 m
Direction of view: 45°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 12:24



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 9.8 Viewpoint 8: Barony Road (A505)

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP8, Barony Road (A505) (256751, 379452)

Map Scale @ A3: 1:25,000



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Baseline photograph

This image provides landscape and visual context only



Photomontage - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.8a
Viewpoint 8: Barony Road (A505)

OS reference: 256751 E 379452 N
AOD: 181 m
Direction of view: 20°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 13:10



Baseline photograph

Figure: 9.8b
Viewpoint 8: Barony Road (A505)

OS reference: 256751 E 379452 N
AOD: 181 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 13:10



Photomontage - Full extent DSF at Year 20 and proposed site componentry

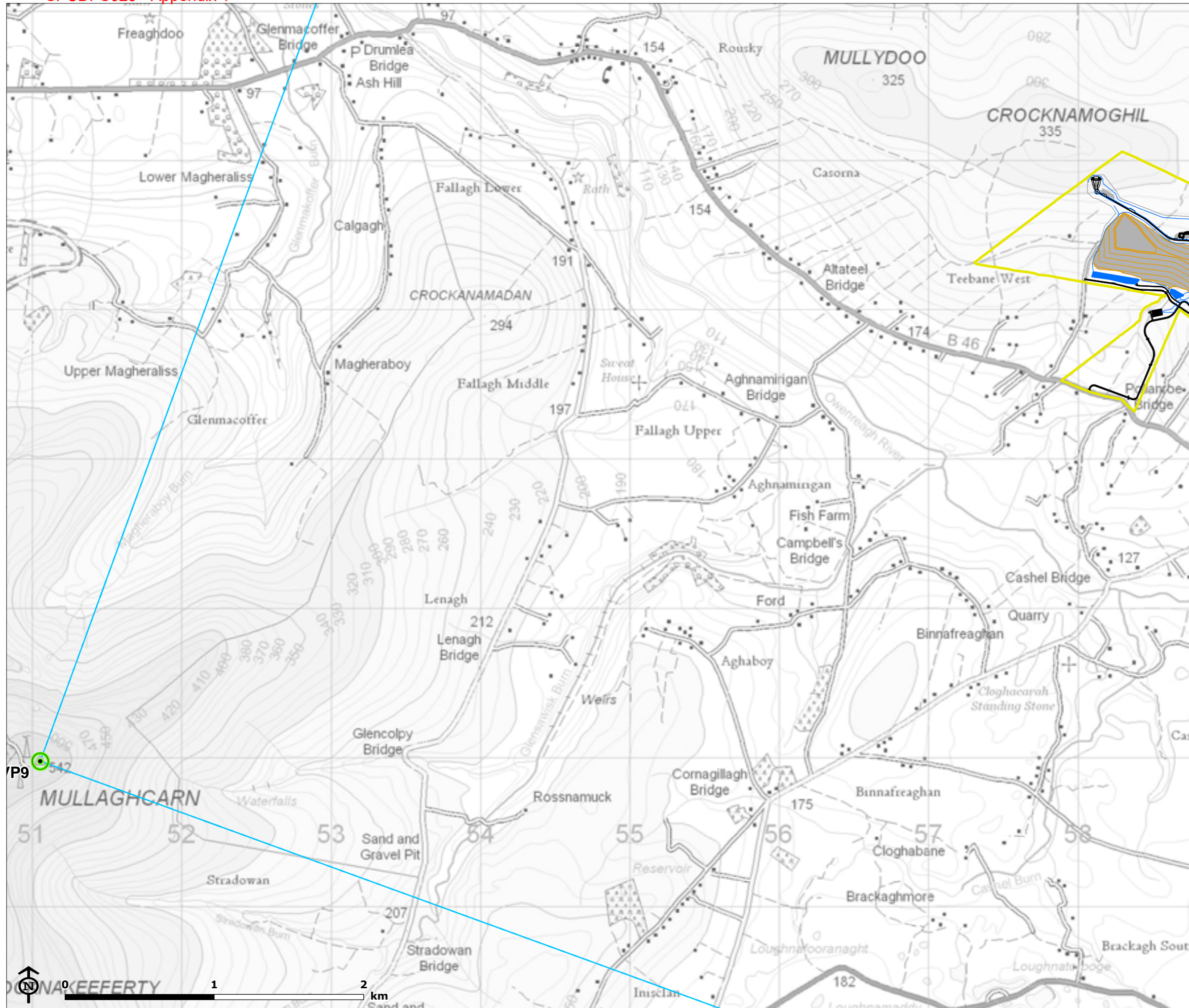
View flat at a comfortable arm's length

Figure: 9.8c
Viewpoint 8: Barony Road (A505)

OS reference: 256751 E 379452 N
AOD: 181 m
Direction of view: 20°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 13:10



Landscape & Visual Impact Assessment (LVIA) for the Curraghinalt Project, County Tyrone, Northern Ireland

Figure 9.9 Viewpoint 9: Mullaghcarn

- Proposed Infrastructure Site (Area A)
- Dry Stack Facility (DSF) at Year 20 (Maximum Extent)
- Process Plant and Access
- Pond
- VP9. Mullaghcarn (251052, 380975)

Map Scale @ A3: 1:25,000

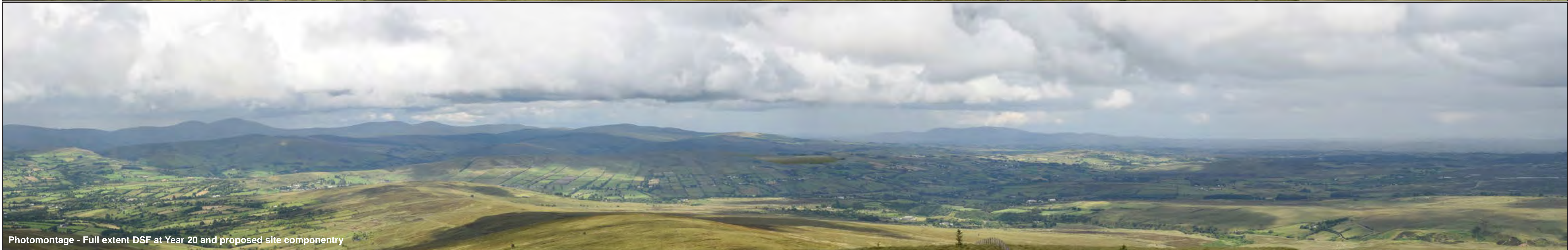


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Baseline photograph

This image provides landscape and visual context only



Photomontage - Full extent DSF at Year 20 and proposed site componentry

Figure: 9.9a
Viewpoint 9: Mullaghcarn

OS reference: 251052 E 380975 N
AOD: 537 m
Direction of view: 65°

Horizontal field of view: 90° (cylindrical projection)
Principal distance: 522 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 16:20



Baseline photograph

Figure: 9.9b
Viewpoint 9: Mullaghcarn

OS reference:	251052 E 380975 N	Horizontal field of view:	53.5° (planar projection)	Camera:	Nikon D750
AOD:	537 m	Principal distance:	812.5 mm	Lens:	Nikkor AF 50mm f/1.8D
Direction of view:	65°	Paper size:	841 x 297 mm (half A1)	Camera height:	1.5 m AGL
		Correct printed image size:	820 x 260 mm	Date and time:	12/07/2016 16:20



Photomontage - Full extent DSF at Year 20 and proposed site componentry

View flat at a comfortable arm's length

Figure: 9.9c
Viewpoint 9: Mullaghcarn

OS reference: 251052 E 380975 N
AOD: 537 m
Direction of view: 65°

Horizontal field of view: 53.5° (planar projection)
Principal distance: 812.5 mm
Paper size: 841 x 297 mm (half A1)
Correct printed image size: 820 x 260 mm

Camera: Nikon D750
Lens: Nikkor AF 50mm f/1.8D
Camera height: 1.5 m AGL
Date and time: 12/07/2016 16:20

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Planning & EIA
Design
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London NW1 1JD



**Appendix 5: LA10/2017/01249/F: GSNI
Consultation Response**

Dalradian Gold Planning Application LA10/2017/1249/F for underground gold mine and associated surface infrastructure at Greencastle, Co Tyrone.

Geological Survey of Northern Ireland comment on the geological setting and mineralisation of the proposal.

Context

The Sperrin Mountains of Northern Ireland have a long history of gold exploration with modern exploration dating back to the 1970s. The bedrock gold at the Curraghinalt deposit site was identified in the early 1980s by field exploration techniques and further proved through later underground development. The nature of the mineralisation, occurring as it does in narrow veins meant that the only economic extraction method required the use of explosives.

Exploration to increase the understanding of the deposit and establish the extent and nature of the vein system continued, under a number of separate companies, through the 1980s to 2000s with the use of exploration geochemistry and exploration geophysics techniques. In 2009 the then licence holder Tournigan underwent a restructuring and opted to divest its gold interests and the licence was acquired by the current licensee.

Under this new management, development of the deposit accelerated to the point where the potential for economic extraction was demonstrated through a full feasibility study. This has led the company to submit a planning application in 2017 to the Department for Infrastructure, for an underground gold mine with associated surface works including a processing plant and dry stack tailings storage facility.

Under the 1969 Minerals Development Act, all high value minerals (base metals, industrial minerals) were vested in the department for economic development, with a number of exceptions. The key exception in this context is valuable minerals (gold and silver) which remain vested in the Crown Estate. Because of this situation, permission for the working and extraction of gold is granted by the Crown, not by the Department for the Economy. No mining permission is granted by the Northern Ireland Department that would otherwise have responsibility. Because of this, the only legislative context for comment relates to the geology of the deposit, which is provided by the Geological Survey of Northern Ireland.

Geology

The section of the planning application that covers the geological setting of the deposit is accurate and current. Reference is made to publications by the Geological Survey of Northern Ireland when dealing with the regional setting and the currently accepted model for the formation of the gold veins. Recent academic papers on more specialist aspects of the regional and local geology and the absolute and relative ages of the rock sequences are referenced. The geology of the individual rock units that comprise the licence area that hosts the gold deposit are described. In addition, the geology of the Tyrone Igneous complex, which forms the majority of the adjacent mineral prospecting licence area held by the company to the east of the gold deposit, is also described.

Mineralisation

Field observations and surface trenching were initially used to identify and prove the vein system at Curraghinalt. The underground gold mineralisation at the deposit has been further proven by recovering drill core from diamond drilling and underground development in the form of a horizontal adit with side drifts which was created in 1987. Further underground development was carried out in 2015 by Dalradian Gold to collect a bulk sample as part of the feasibility study.

The vein system occurs as a series of sub parallel quartz sulphide veins moderately to steeply dipping to the west-northwest.

Through a methodical exploration process, identifying the orientation of the veins, then attempting to establish how far they extend both laterally and at depth using exploration drilling, the overall extent of the system can be demonstrated. Dalradian, and earlier holders of the prospecting licence that covers the deposit, have followed this approach in accordance with standard industry practice, with the majority of the work having been carried out by Dalradian Gold under the company tenure.

Using specialist computer software, a three dimensional model of the vein system has been created incorporating the information derived from drill core. These cores have been acquired from surface diamond drilling and from underground diamond drilling. The 3D model is used to visualise the vein system and plan the mining method and mining schedule that will maximise the economic potential of the deposit.

Dalradian Gold has used standard industry practice to combine historic drilling information with extensive drilling carried out by the company in order to prove the orientation, nature, continuity, grade and overall economic potential of the mineralisation at Curraghinalt. Additional academic studies and external experts have been used to maximise the understanding of the system.

Site visits by geologists from the Geological Survey of Northern Ireland have confirmed through observation, the underground vein system and the use of the surface and underground drilling. Drill core from the drill rigs has been inspected at various stages through the life of the deposit development, including historic drill core acquired before the current operators took over in 2009. The current Minerals Geologist has received a demonstration of the 3D modelling software, showing how surface and underground drill intersections have been combined with detailed geological mapping of the exposed rocks and mineralisation underground to create the model depicted in Chapter 7 of the Feasibility Study (Geological Setting and Mineralisation). Notification of exploration by the company and annual reporting of activity, including results of analysis, have maintained a continuous level of oversight of the project as required by legislation.

Conclusion

The Geological Survey has confidence in the approach adopted by Dalradian Gold, to demonstrate the geological context of the Curraghinalt gold deposit and the nature and extent of the mineralised vein system. Geologists working for Dalradian Gold have exposure to a wealth of technical information and resources to analyse and process the data collected. This information has been used to inform the planning application and is evidenced in part by the submission on geology and mineralisation that supports it.



Fermanagh & Omagh District Council – Draft Plan Strategy

CRDPS006

Counter-representations on Behalf of Dalradian Gold Ltd

April 2019

1. Introduction

1. This counter-representation is submitted on behalf of Dalradian Gold Ltd in response to representations received in response to the Council’s consultation on the draft Plan Strategy (dPS) in late 2018.
2. These counter representations relate to representations made under Regulation 15 and 16 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (‘the Regulations’). Under Regulation 17, the Council has made available copies of all representations received in response to consultation on the draft Plan Strategy. These counter representations are submitted under Regulation 18 as they relate to site specific representations. For the avoidance of doubt ‘site specific representations’ mean:
 - Representations to policies relating to any proposed designations which identify a particular area (site);
 - Representations to policies which could be applied to a site that could be subject to a planning application; and
 - Representations containing references or inferences to gold mining or related proposals for a site within the Council area.
3. These counter-representations should be read alongside Dalradian representation reference DPS271 and all of the information submitted with planning application reference LA10/2017/1249/F (available on the Planning Portal).

2. Counter-representations

4. This section outlines our counter-representations to comments received by FODC in response to consultation on the dPS.

Representation No.	Comments	Counter-representations
DPS022 RSPB	<p>Comments on Draft Policy MIN01</p> <p>Opposed to the supporting text in the dPS which refers to the potential to extend the lifetime of quarries/mines by way of a new planning application. They consider that this could allow for a piecemeal approach to development where proposals for less than 15 years will be used to bypass this policy test and then an extension sought at a later date.</p> <p>They are proposing that policy tests vii) to xi) of draft Policy MIN01 should also apply to applications to extend existing operations to avoid a policy loophole.</p>	<p>RSPB are seeking an amendment to Draft Policy MIN01 to include a maximum 15 year time restriction for the extraction of minerals and a removal of any potential to extend existing operations.</p> <p>The approach proposed by RSPB is unsound for the reasons set out at paragraph 4.23 to 4.35 of Draft Plan Strategy Representation Ref: DPS271</p> <p>For these reasons the approach proposed by RSPB fails against the soundness test and in particular CE2, CE4, P3 and C3.</p>
DPS028 Derry City & Strabane District Council	<p>Comments on Part 4 – Economy</p> <p>We note the proposed Area of Constraint on Mineral Development (ACMD) to apply across your section of the AONB. We also note the specifics of Policy MIN 01 and the criteria to be met to enable appropriate mineral development in the ACMD.</p> <p>Given the proximity and the many similarities between the rural parts of our two Districts, it particularly important that we and the other Sperrin AONB Councils continue to actively engage together and strive for designations/policy that will be co-ordinated across the entire AONB for these</p>	<p>Dalradian objects to the proposed ACMD and the specifics of Policy MIN 01 as they fail against soundness tests CE2, CE4, P3 and C3. The reasons are elaborated further in Section 4 Paragraphs 4.1 - 4.38 of Draft Plan Strategy Representation Ref. DPS271.</p>

	and other relevant Planning issues.	
	<p>Comments on Part 5 – Environment</p> <p>Derry City and Strabane District Council would be supportive of Draft Policy L01 Development within the AONB.</p> <p>The landscape of the unspoilt Sperrin AONB and the Glenelly Valley and its surrounding margins are significant assets for both Councils and their sensitive protection is to be welcomed. We would reiterate the importance of specific engagement by the other relevant Councils as part of the LDP progression when considering such areas of mutual overlap and importance.</p>	<p>Dalradian objects to the proposed Policy L01 as it is based upon flawed evidence as set out in Paragraph 5.8 to 5.17 of Draft Plan Strategy Representation Ref. DPS271.</p> <p>The approach proposed by draft Policy L01 fails against soundness tests CE2, CE3 and C3 because it is based on flawed evidence and conflicts within the SPPS by prioritising environmental protection over the social and economic benefits that may arise from development.</p>
<p>DPS049 Causeway Coast & Glens Borough Council</p>	<p>Minerals Development</p> <p>Whilst the Council acknowledges that FODC will identify areas of economic or conservation value when more robust evidence is made available to them it does note a proposed 'blanket' Area of Constraint on Minerals Development (ACMD) which covers the whole area of the Sperrin AONB located within FODC administrative boundaries.</p>	<p>Dalradian objects to the proposed ACMD as it fails against soundness tests CE2, CE4, P3 and C3. The reasons are elaborated on further in Section 4 Paragraphs 4.1 - 4.38 of Draft Plan Strategy Representation Ref. DPS271.</p>
<p>DPS273 Friends of the Earth</p>	<p>Section 3: Precious Minerals</p> <p>Requests that there should be a policy presumption against the exploration and extraction of precious minerals given their destructive impact on communities and the environment because:</p> <ul style="list-style-type: none"> • There is sufficient gold in circulation in the world to meet current need. • Paragraph 6.157 of the SPPS is exceptionally permissive and needs to be challenged by more sustainable policies in the LDP. • Evidence from around the world demonstrates that this sector extracts wealth from local economies and has adverse impacts on tourism and agriculture. • A 'plan-led' system means that the Council is not obliged to follow the permissive policy in the SPPS. 	<p>Dalradian objects to the approach proposed in representations DPS273 because it would conflict with the prevailing policy provisions within the SPPS which sets out that there will not be a presumption against the extraction of valuable minerals.</p> <p>The approach proposed would therefore fail against soundness test C3.</p>
	<p>Section 4: Quarries and Minerals</p> <p>A moratorium should be placed on new extractive industries until:</p> <ul style="list-style-type: none"> • A review of PD Rights for exploration is undertaken and completed by the Department. • DfE or FODC carries out an SEA of the issuing of mineral licensing (it is currently in breach of the Environmental Assessment of Plans and Programmes Regulations (NI) 2004 • A cumulative assessment of the impacts of all extractive industries in FODC is carried out to inform a baseline for future assessments; • A review of extant consents is undertaken; • An assessment of unregulated and previously unassessed extractive industries is undertaken; • A future needs assessment is carried out; • An independent economic assessment is carried out; • An assessment of existing extraction rates is undertaken; • ROMPS is implemented; • As assessment of human rights impacts in undertaken 	<p>Dalradian objects to the proposal put forward in DPS273 that there should be a moratorium on new mineral developments. Proposals for the extraction of minerals are currently subject to prevailing policy set out in the SPPS and the relevant Planning Policy Statements and the Planning Strategy for Rural Northern Ireland and are therefore subject to a thorough planning assessment before being determined.</p> <p>A moratorium on minerals extraction in the absence of the information set out in representation DPS273 would have a detrimental impact on an important sector of the Northern Ireland economy.</p>

	<p>Paragraph 6.2</p> <p>We are deeply concerned about the permissive policy of supporting minerals in draft Policy MIN 01 and how you have portrayed these Areas of Constraint on Mineral Development (ACMD). To the public these areas would appear on the face of it to have a policy presumption (MIN01 Draft Plan October 2018) against development. However, the policy within this area of constraint is so permissive that it is disingenuous and misleading to the public.</p> <p>The policy exceptions within an ACMD are so generous that they are not exceptions. For example, if there is an extension to an existing mineral development, if it is less than 15 years old, if its high value etc then development can proceed even in an area of constraint. Some of these so-called exceptions are subjective and they will facilitate a company, such as a goldmining company, to easily achieve consent anywhere within your council area.</p>	<p>Dalradian objects to the assertion made in DPS273 that draft Policy MIN01 is too permissive. Dalradian sets out at Section 4 of Representation Ref. DPS271 that the proposed policy is too restrictive on the mineral sector as it applies a blanket presumption against mineral development across the full extent of the AONB within the FODC area. This designation is considered to fail against soundness tests CE2, CE4, P3 and C3.</p> <p>Furthermore Policy MIN 01 is too restrictive on the extraction of precious mineral extraction by virtue of an arbitrary timeframe for the extraction of precious minerals.</p>
	<p>Paragraph 6.3</p> <p>Areas of constraint such as ACMD’s should have a definitive presumption against any extraction.</p> <p>In addition all ASSI’s, SCA’s, Ramsar Sites, areas of archaeological significance, AONB’s, wetlands, watersheds should have a presumption against exploitation for all extractive industries.</p>	<p>Dalradian objects to the approach proposed in representation DPS273 because it would conflict with the prevailing policy provisions within the SPPS which sets out that there will not be a presumption against the extraction of valuable minerals. The approach proposed would therefore fail against soundness test C3.</p>
	<p>Paragraph 6.4</p> <p>The draft policy for Mineral Safeguarding Areas is incoherent. As these areas have not been identified this policy must be removed. It is neither logical nor acceptable to attempt to conduct an HRA and an SEA and yet assume that these areas can be introduced at some stage in the future without being adequately assessed for their impacts. This policy effectively condemns residents of your area to live under the threat of their land being sterilised because of the prospect of a future designation that gives supremacy to minerals over farming, tourism, nature conservation and the rights of residents. This is highly draconian, potentially unlawful and is contrary to the Aarhus convention and represents the antithesis of sustainable development.</p>	<p>Dalradian objects to the removal of Mineral Safeguarding Areas (MSA) from the dPS. To not include such areas would mean that Policy MIN 03 would fail against soundness test CE1.</p> <p>MSAs should be identified at this stage of plan to ensure that there is no conflict with the proposed ACMD. As set out in Representation Ref. DPS271, it is recommended that the Council actively engage with the mineral sector, GSNI and operators to determine the extents of the MSAs within the district before progressing the dPS further.</p>
<p>DPS052 & DPS053</p>	<p>The draft Plan seems to be allowing goldmining anywhere and not giving protection to stop any piece of land being designated as having a need for mineral exploration even if it has been designated as important.</p>	<p>The dPS proposes an ACMD within which there will be a presumption against mineral development. Dalradian objects to the extent of the proposed ACMD and associated draft Policy. It is incorrect for Representation DPS052 & 053 to state that mineral activity will be unrestricted, and Dalradian objects to that assertion.</p> <p>Furthermore, mineral extraction outside of the proposed ACMD and valuable mineral extraction is restricted by the provisions of draft Policy MIN 01 in that only development which will not have an unacceptable adverse impact on criterion i) to vi) will be permitted.</p>
<p>DPS102 - Save our Sperrins; DPS054; DPS071; DPS072; DPS073; DPS074; DPS093; DPS094; DPS096; DPS097; DPS098; DPS100; DPS101; DPS103; DPS114; DPS122; DPS136; DPS146;</p>	<p>Despite referring to the need to afford environmental protection to the Sperrins the dPS goes on to allow for the possibility of gold-mining anywhere.</p>	<p>The dPS proposes an ACMD within which there will be a presumption against mineral development. Dalradian objects to the extent of the proposed ACMD and associated draft Policy. It is incorrect for these representations to state that mineral activity will be unrestricted, and Dalradian objects to that assertion.</p> <p>Furthermore, mineral extraction outside of the proposed ACMD and valuable mineral extraction is restricted by the provisions of draft Policy MIN 01 in that only</p>

<p>DPS147; DPS148; DPS149; DPS150; DPS151; DPS152; DPS153; DPS155; DPS157; DPS171; DPS185; DPS186; DPS222; DPS225; DPS226; DPS234; DPS235; DPS240; DPS241; DPS242; DPS243; DPS262; DPS263; DPS272; DPS280; DPS281; DPS282 -</p>	<p>dPS fails to acknowledge that gold mining is an unsustainable activity and fails to acknowledge the toxic impact of highly poisonous substances. It fails to acknowledge the incompatibility of gold mining and 'preserving and improving' the AONB.</p>	<p>development which will not have an unacceptable adverse impact on criterion i) to vi) will be permitted.</p> <p>Dalradian objects to this statement, made in duplicate representations as it is not supported by any evidence to demonstrate that gold mining is unsustainable or that the extraction of gold is incompatible with the AONB.</p> <p>Representation Ref. DPS271 paragraph 4.14 and 4.15 summarises the LVIA associated with the proposed mineral extraction facility at Curraghinalt, demonstrating that there will not be a significant adverse impact on the AONB.</p>
<p>Co-operation Against Mining in Omagh; DPS283; DPS284; DPS287; DPS288; DPS289; DPS290; DPS291; DPS293; DPS295; DPS296; DPS297; DPS298; DPS299; DPS300; DPS301; DPS302; DPS303;</p>	<p>Draft Policy TOU01: The draft policy should specifically include a statement "that in view of the intolerable risk of enduring environmental damage, precious mineral mining will not be permitted in or close to the Sperrins AONB or in areas hydraulically linked to protected waterways, wells or reservoirs.</p>	<p>Dalradian objects to the proposal put forward as it would conflict with the prevailing planning policy set out in the SPPS which sets out that there will not be a presumption against the extraction of valuable minerals. To include the proposed wording would mean that the policy would fail against soundness test C3.</p> <p>Furthermore, draft Policy MIN01 will require that mineral development will only be permitted where it is demonstrated that it will not have an 'unacceptable adverse' impact on the natural or water environment.</p>
<p>DPS304; DPS305; DPS306; DPS307; DPS308; DPS309; DPS310; DPS311; DPS313; DPS314; DPS315; DPS316; DPS286; DPS276</p>	<p>The Draft LDP fails to acknowledge that this "Omagh Sperrins" is an area identified by GSNI as high in radon gas. Mining for gold in such an area would release more radioactive contaminants into the air causing additional cancers.</p>	<p>Dalradian objects to this statement. There is no supporting evidence provided. Furthermore draft Policy MIN01 will only permit proposals for mineral extraction where it can be demonstrated that there will be no unacceptable adverse impact on public safety and human health.</p>
	<p>It is disingenuous of FODC to talk about Areas of Constraint on Mineral Development! People reading it would initially think that these are Areas where the Council would protect the environment from mining, but unfortunately this is not the case - they are Areas where the Council would allow vultures in, to plunder our natural resources, ruin our beautiful landscape and damage our health, water and air.</p>	<p>The dPS proposes an ACMD within which there will be a presumption against mineral development. Dalradian objects to the extent of the proposed ACMD and associated draft Policy. It is incorrect for these representations to state that mineral activity will be unrestricted, and Dalradian objects to that assertion.</p> <p>Furthermore, mineral extraction outside of the proposed ACMD and valuable mineral extraction is restricted by the provisions of draft Policy MIN 01 in that only development which will not have an unacceptable adverse impact on criterion i) to vi) will be permitted.</p>
	<p>There should be absolutely no mineral development in ACMD or any part of the Council District.</p>	<p>Dalradian objects to the proposal put forward as it would conflict with the prevailing planning policy set out in the SPPS which sets out that there will not be a presumption against the extraction of valuable minerals. To include the proposed wording would mean that the policy would fail against soundness test C3.</p>
	<p>Comments Draft Policy MIN04- Unconventional Hydrocarbon Extraction Mining is similar to fracking and I would urge the Council to adopt a presumption against the granting of planning permission for mining of precious metals anywhere in the Council area.</p>	<p>Dalradian objects to the proposal put forward as it would conflict with the prevailing planning policy set out in the SPPS which set out that the responsible exploitation of minerals is supported. Furthermore the SPPS sets out that there will not be a presumption against the extraction of valuable minerals. To include the proposed wording would mean that the policy would fail against soundness test C3.</p>

	<p>Comments on Draft Policy HE02-Archaeology</p> <p>Development proposals which would adversely affect archaeological remains of regional importance or the integrity of their settings should not be permitted in any circumstances because of the intrinsic historical and cultural value of such remains.</p>	<p>Dalradian objects to the proposed revision to the draft policy wording as it would conflict with the SPPS, which allows for development in exceptional circumstances. The introduction of the proposed working would fail against soundness test C3.</p>
<p>DPS109</p>	<p>Comments on MIN 1 Minerals Development</p> <p>The policy should state that cyanide will not be permitted so that it reflects the European Union Resolution of 27 April 2017 on the implementation of the Mining Waste Directive</p>	<p>Regarding the specific resolution referred in Representation Ref DPS051 we would refer the Council to the EU Commission Final Report dated July 2017 which post-dates the resolution referenced. Within this report the Executive Summary states:</p> <p><i>“Regarding cyanide-based gold extraction techniques, it was concluded that cyanide-based techniques remain the dominant technology used for gold production in the EU. Whilst alternative reagents have been tested and some of them have been developed to commercial scale outside the U, the appropriateness and applicability of alternative reagents and processes is governed by ore types and alternative reagents are not without their own technical, environmental and economic issues. In reviewing the availability and the status of commercial application of alternatives to cyanide-based technologies, there does not appear to be a clear alternative that can replace cyanide-based technologies as BAT at the present time. There has not been a material change in the application and use of alternatives to cyanide-based technologies since 2010, hence the introduction of an EU-wide ban would still imply the closure of existing mines.”</i></p> <p>It is therefore clear that the use of cyanide is the Best Available Technique for mining.</p> <p>The introduction of a restriction on the use of cyanide as a form of mineral extraction is not endorsed within the SPPS or the Planning Strategy for Rural Northern Ireland. As such a policy to this effect would be inconsistent with prevailing regional policies and would therefore fail against soundness test C3.</p>
<p>DPS113 Historic Environment Division</p>	<p>Propose the following wording in MIN01 “The Council will support proposals for minerals development where it is demonstrated that they do not have an unacceptable adverse impact upon:”</p>	<p>Dalradian objects to the revision proposed. As set out Section 4 of Representation Ref. DPS271 Dalradian proposes that the wording should be revised to state: <i>“The Council will support proposals for mineral development where it is demonstrated that they do not have a significant adverse impact upon...”</i></p> <p>This would provide clarity on what is required from the applicant.</p>
<p>DPS239</p>	<p>I would like to formally table my grave concern about the policies condoning unlimited gold mining across the district. Why would you not have very specific policies that limit mining rights in favour of protecting our environment, the integrity of our water supplies and protection of our health?</p> <p>On what basis would you condone the Dalradian planning application for the biggest cyanide mine in Europe within an Area of Constraint on Minerals Development and right beside the main water supply for the biggest town in your area of control?</p>	<p>The dPS proposes an ACMD within which there will be a presumption against mineral development. Dalradian objects to the extent of the proposed ACMD and associated draft Policy. It is incorrect for these representations to state that mineral activity will be unrestricted, and Dalradian objects to that assertion.</p> <p>Furthermore, mineral extraction outside of the proposed ACMD and valuable mineral extraction is restricted by the provisions of draft Policy MIN 01 in that only development which will not have an unacceptable adverse impact on criterion i) to vi) will be permitted. This includes consideration of the impacts on natural</p>

	Exception criteria is broad and complicit in support of gold mining rights over human impact.	environment, water and human health.
DPS256 Green Party	The plan provides no impediment to current threats from extractive industries to the District's community and environment, and as such we urge the political representatives on the Council to reject it.	The dPS proposes an ACMD within which there will be a presumption against mineral development. Dalradian objects to the extent of the proposed ACMD and associated draft Policy. It is incorrect for these representations to state that mineral activity will be unrestricted, and Dalradian objects to that assertion.
DPS277 National Trust	In light of government advice, we propose that Policy MIN01 is re-worded to set a clear presumption against mineral development in ACMD and only in exceptional circumstances should such proposals be allowed.	Dalradian objects to the proposed ACMD and associated policy as it fails against soundness tests CE2, CE4, P3 and C3. The reasons are elaborated further in Section 4 Paragraphs 4.1 - 4.38 of Draft Plan Strategy Representation Ref. DPS271
DPS047 Mid Ulster Council	Support the decision of FODC to introduce ACMDs as they are in keeping with the SPPS and aligns with discussions of the Sperrins and Cross Border forums.	Dalradian objects to the proposed ACMD as it fails against soundness tests CE2, CE4, P3 and C3. The reasons are elaborated further in Section 4 Paragraphs 4.1 - 4.38 of Draft Plan Strategy Representation Ref. DPS271
DPS051	The use of cyanide for mining purposes should be forbidden. This is consistent with the European Parliament resolution of 27 April 2017 on the implementation of the Mining Waste Directive (2006/21/EC). (566 MEP's voted in favour; 8 voted against).	<p>Regarding the specific resolution referred in Representation Ref DPS051 we would refer the Council to the EU Commission Final Report dated July 2017 which post-dates the resolution referenced. Within this report the Executive Summary states:</p> <p><i>“Regarding cyanide-based gold extraction techniques, it was concluded that cyanide-based techniques remain the dominant technology used for gold production in the EU. Whilst alternative reagents have been tested and some of them have been developed to commercial scale outside the U, the appropriateness and applicability of alternative reagents and processes is governed by ore types and alternative reagents are not without their own technical, environmental and economic issues. In reviewing the availability and the status of commercial application of alternatives to cyanide-based technologies, there does not appear to be a clear alternative that can replace cyanide-based technologies as BAT at the present time. There has not been a material change in the application and use of alternatives to cyanide-based technologies since 2010, hence the introduction of an EU-wide ban would still imply the closure of existing mines.”</i></p> <p>It is therefore clear that the use of cyanide is the Best Available Technique for mining.</p> <p>The introduction of a restriction on the use of cyanide as a form of mineral extraction is not endorsed within the SPPS or the Planning Strategy for Rural Northern Ireland. As such a policy to this effect would be inconsistent with prevailing regional policies and would therefore fail against soundness test C3.</p>

Contact

Emma Walker
emma.walker@turley.co.uk

11 April 2019

DALB3001



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

Fermanagh & Omagh Draft Plan Strategy - Counter Representations Form

Hard Copies of the Draft Plan Strategy, all Representations received and our 'Guidance note for Making Counter Representations' are available for inspection during normal opening hours at the Council's offices at: 7 Shore Road, Enniskillen, BT74 7EF; Strule House, 16 High Street, Omagh BT78 1BQ; The Grange, Mountjoy Road, Lisnamallard, Omagh, Co Tyrone, BT79 7BL and; Townhall, 2 Townhall Street, Enniskillen, Co Fermanagh, BT74 7BA or may be viewed at <https://www.fermanaghomagh.com>

How to make Counter Representations

You can make counter representations by completing this form, by email to developmentplan@fermanaghomagh.com or by post to: Local Development Plan Team, Strule House, 16 High Street, Omagh BT78 1BQ.

For further assistance contact: developmentplan@fermanaghomagh.com or Tel: 0300 303 1777

SECTION 1. Contact Details

Agent or Personal Submission - Are you submitting on behalf of someone or in an individual capacity?

Individual Organisation Agent (complete with your client's contact details first)

First Name Brian

Last Name Kelly

Job Title (Where relevant) Managing Director

Organisation (Where relevant) Dalradian Gold Ltd

Address 3 Killybrack Road, Killybrack Business Park, Omagh

Postcode BT79 7DG

Telephone Number [REDACTED]

Email Address bkelly@dalradian.com

If you are an Agent, acting on behalf of an Individual or Organisation, please provide your contact details below. (Please note you will be the main contact for future correspondence).

First Name Emma
Last Name Walker
Job Title (Where relevant) Associate Director
Organisation (Where relevant) Turley
Address Hamilton House, 3 Joy Street, Belfast

Postcode BT2 8LE
Telephone Number [REDACTED]
Email Address emma.walker@turley.co.uk

SECTION 2. Counter Representation

Have you submitted a representation to the council regarding the Draft Plan Strategy?

Yes **No**

If yes, please provide the Reference Number of your representation and a summary of the issue raised in your representation below.

Draft Plan Strategy Representation reference No. DPS271

The Draft Plan Strategy (dPS) is unsound as the legal compliance tests have not been met. Furthermore, the Sustainability Assessment (SA) provided in support of the dPS is fundamentally flawed. Taken together, these flaws render the dPS in its entirety unsound as soundness test P3 cannot be met.

Draft Policy MIN01

The draft policy conflicts with and is inconsistent with the approach set out in prevailing regional policy. The draft policy would result in the unjustified sterilisation of large areas of mineral resource. Dalradian opposes the introduction of a 15 year restriction on the extraction of minerals within an ACMD as this has no basis in regional policy. It does not reflect the operational practices of the minerals sector and is not justified. The draft policy is unsound as it fails tests CE2, C3 and CE4.

Draft Policy MIN02

This draft policy is more onerous than the existing policy position set out in prevailing regional policy as it proposes that materials for the infill and restoration of sites should be sourced from within the site. This draft policy is not in conformity with the SPPS and therefore fails soundness test C3.

Draft Policy MIN03

The failure to detail Mineral Safeguarding Areas (MSAs) is inconsistent with the decision to identify ACMDs. Without properly understanding the extent of reserves, it is not possible to robustly define areas of ACMDs, as existing operations and known mineral resources will and do exist within these areas and should be safeguarded. The draft policy fails soundness tests CE1 and CE2

Draft Policy TOU01

The draft policy is in conflict with and inconsistent with the approach set out in prevailing regional policy. The draft policy is unjustified. The draft policy fails to meet soundness tests C3, CE2 and CE3.

Draft Policy HE02

The Council is proposing an extension to the Beaghmore ASAI on the basis of a proposal from DfC HED to extend the ASAI. The proposed extension is not justified. The draft policy fails soundness test CE3.

Draft Policy L01

The draft Policy is based on flawed evidence. The draft policy is contrary to and inconsistent with the provisions of the prevailing regional policy. It fails soundness tests CE2 and CE3.

Draft Policy PU02

This draft policy does not provide sufficient flexibility to assess proposals for overhead powerlines associated with minerals developments which are often time limited and subject to restoration requirements. The draft policy fails soundness test CE3 and CE4.

Draft Policy TR06

The Council is proposing a policy that would prohibit development where it would prejudice the reuse of disused routes as a transport route or a recreational, nature conservation or tourism-related use. The draft policy is unsupported by evidence. The draft policy fails against soundness test CE2.

Draft Policy HOU9

The Council asserts that development of replacement dwellings is an opportunity to upgrade housing stock whilst minimising landscape and visual impact, however no evidence or assessment has been provided to support this statement. Furthermore, applicants seeking permission for this type of development will not be required to submit a visual assessment of their development. The draft policy therefore fails against soundness tests CE2 and CE3.

Draft Policy HOU11

There is insufficient evidence to support this draft policy. The draft policy is inconsistent with current regional policy. The policy fails against soundness tests C3 and CE2.

Draft Policy HOU13

This draft policy is inconsistent with prevailing regional policy. Regional policy does not include such a policy requirement or identify that LDPs should include policies for such purposes. The policy fails against soundness test C3.

Draft Policy HOU15

This draft policy is inconsistent with the prevailing regional policy. Regional policy does not include such a policy requirement, nor does it identify that LDPs should include policies for such purposes. The policy fails against soundness test C3.

Continue on a separate sheet if necessary)

Details of Your Counter Representation

Please provide the reference number of the site-specific representation to which your counter representation relates to:

See Attached Counter-representation

Please give reasons for your counter representation having particular regard to the soundness test(s) identified in the above referenced site-specific representation. Please note that your counter representation must not propose any new changes of the draft Plan Strategy.

Click or tap here to enter text.

See Attached Counter-representation

(Continue on a separate sheet if necessary)

SECTION 3. Data Protection and Consent

Data Protection

In accordance with the Data Protection Act 2018, Fermanagh and Omagh District Council has a duty to protect any information we hold on you. The personal information you provide on this form will only be used for the purpose of Plan Preparation and will not be shared with any third party unless law or regulation compels such a disclosure. It should be noted that in accordance with Regulation 19 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the council must make a copy of any counter representation available for inspection. The Council is also required to submit the counter representations to the Department for Infrastructure and they will then be considered as part of the Independent Examination process. For further guidance on how we hold your information please visit the Privacy section at www.fermanaghomagh.com/your-council/privacy-statement/

By proceeding and submitting this representation you confirm that you have read and understand the privacy notice above and give your consent for Fermanagh and Omagh Council to hold your personal data for the purposes outlined.

Consent to Publish Response

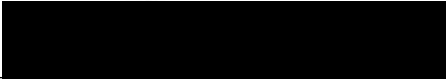
The Council is required by law to publish your representation and make it available for inspection. Unless otherwise stated by yourself, this will include your name and postal address. Your personal telephone number, personal email address and signature will not be published.

If you do not wish for your name and postal address to be published please tick the box below.

Please do not publish my name and postal address

Please note: Even if you opt for your details to be published anonymously, we will still have a legal duty to share your contact details with the Department for Infrastructure and the Independent Examiner/Authority they appoint to oversee the examination in public into the soundness of the plan. This will be done in accordance with the privacy statement above.

Signature



Date

8 May 2019



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

Your Ref
Our Ref CITOS/1258
Date 7 October 2020
Email planning@fermanaghmagh.com

Alison McCullagh
Chief Executive

Emma Walker
Associate Director
Turley
Hamilton House
Joy Street
BELFAST
BT2 8LE

emma.walker@turley.co.uk
By email only

Planning Department

Dear Emma,

Re: Draft Plan Strategy Proposed Changes

I write with reference to the above subject, and further to your email of 11th September 2020.

In your email you have raised two queries in relation to Draft Policy MIN01 as contained in the July 2020 consultation on the Proposed Changes to the draft Plan Strategy. By now you will have received notification that Fermanagh and Omagh District Council has cancelled and is re-running its consultation on the proposed changes to the Local Development Plan draft Plan Strategy. The consultation will run for an 8 week period commencing on 8th October 2020 and ending on 3rd December 2020.

Our council website has now been updated with the details of the consultation, and you will be able to view the information at the website link below:

<https://www.fermanaghmagh.com/services/planning/local-development-plan-draft-plan-strategy-proposed-changes-consultation-2/>

In your email you have sought clarification on the term 'permitted' as contained in draft Policy MIN01 in the Schedule of Proposed Changes. This term relates to those developments which are permitted by way of the grant of planning permission i.e. those with extant planning permission.

In your email you have also queried the text relating to the SCA within draft Policy MIN01 in the Schedule of Proposed Changes, and you have expressed your views on this proposed change. The query you have posed and the views you have expressed are matters that should be discussed as part of the Independent Examination (IE) of the draft Plan Strategy. Therefore, you may wish to make a representation to the Proposed Changes,

during the consultation period commencing on 8th October 2020, setting out your views and thereby ensuring that your comments form part of the council's submission to the Department for Infrastructure for IE.

Yours sincerely



Sinead McEvoy
Principal Planning Officer
Planning Department
Fermanagh and Omagh District Council